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OVERSIGHT

FEDERAL EMERGENCY MANAGEMENT AGENCY

HEARINGS AND MEETINGS

OF THE

SUBCOMMITTEE ON
INVESTIGATIONS AND OVERSIGHT

OF THE

COMMITTEE ON
SCIENCE AND TECHNOLOGY
HOUSE OF REPRESENTATIVES

NINETY-EIGHTH CONGRESS

SECOND SESSION

AUGUST 1; OCTOBER 4, 5, 9, 24; DECEMBER 12, 1984

[No. 148]

VOLUME I

Printed for the use of the
Committee on Science and Technology

U.S. GOVERNMENT PRINTING OFFICE
40-677 O WASHINGTON : 1985

H701-59

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OVERSIGHT—FEDERAL EMERGENCY MANAGEMENT AGENCY

WEDNESDAY, AUGUST 1, 1984

House of Representatives,
Committee on Science and Technology,
Subcommittee on Investigations and Oversight,
Washington, DC.

The subcommittee met, pursuant to notice, at 9:35 a.m., in room 2318, Rayburn House Office Building, Hon. Albert Gore, Jr. (chairman of the subcommittee) presiding.

Present: Representatives Gore, Reid, Volkmer, Durbin, Skeen, McCandless, Schneider, Winn.

Mr. Gore. The subcommittee will come to order. I would like to note for the record that a majority of the subcommittee is present for purposes of a quorum.

I would like to note that the rules of the House and the rules of the committee are present at the dais and at the table.

Before we go into the hearing, let me say that we have a little business to conduct, and I would recognize the ranking minority member, Mr. Skeen, for a motion.

Mr. Skeen. Thank you, Mr. Chairman. I would like to offer a motion to issue the subpoenas en bloc to the individuals listed on the memorandum dated August 1, 1984.

Mr. Gore. You have heard the motion. By way of discussion, let me note the list of names of the people involved: Mr. Charles Boehne, Mr. Victor Buyny, Ms. Mary Crilly, Ms. Donna Darlington, Ms. Sue Downin, Ms. H. Marie Harkenrider, Ms. Michelle Jackson, Mr. Robert Kemp, Mr. Martin Lively, Mr. Robert McFerren, Mr. Duane Murray, Sgt. Connie Peresada, Mr. Warren Rucker, and Mr. Merle Shriner.

I might say for the members of the subcommittee that all of these people are mentioned in the subpoenas. They are subpoenaed to testify, if needed, and to provide evidence to the subcommittee. Is there any further discussion?

[No response.]

Mr. Gore. If there is no further discussion, then the vote occurs on the motion to issue the subpoenas en bloc. All those in favor, say aye.

[Chorus of "ayes."]

Mr. Gore. Those opposed, say no.

[No response.]

Mr. Gore. The ayes have it, and the subpoenas are issued. They will be provided to the Clerk of the House and served posthaste.

At this point, we will start the hearing. I have an opening statement, and then I will recognize my colleagues, and then we will get right into the witness list.

FEMA, the Federal Emergency Management Agency, was created in 1979 and given the responsibility to help our Nation better prepare for and provide emergency response in times of war and natural disasters such as hurricanes, floods, and earthquakes. Among its most vital functions is that of providing assistance to State and local officials by assisting in the training of our Nation's firefighters and other emergency personnel. The National Emergency Training Center [NETC], located in Emmitsburg, MD, was established by Congress for that purpose.

Members of the Science and Technology Committee on both sides of the aisle have strongly supported FEMA's mission and have, almost unanimously, reauthorized in two Congresses the Fire Training Academy and the U.S. Fire Administration.

It is deeply troubling, particularly in the light of this strong support and confidence shown for FEMA by the committee, that we need to be here today to examine extensive allegations of mismanagement and misconduct at the National Emergency Training Center. The charges about which we will hear testimony are quite serious. They involve basic questions about the integrity of public servants and go to the essential duty owed by all involved in public service—a duty to deal honestly with the Government.

Some of the testimony we will hear today—about wasteful, lavish, and excessive spending of public funds, about self-aggrandizement, about personal use of Government property, about use of Government personnel for personal errands, and about the failure of agency officials to root out waste, fraud, and abuse—is, unfortunately, all too common, even if seldom uncovered.

What is most striking, however, about the allegations we will examine today is that they appear to be so extensive and appear to involve several of the most senior managers at FEMA, including the FEMA official who, only last December, received FEMA's Distinguished Civilian Service Medal, FEMA's highest honor. The scope and extent of the charges raise the most serious questions about the leadership and accountability of FEMA.

Because I want to be sure that we have adequate time to extensively explore these charges, I have kept my opening statement short. I want to recognize the ranking minority member of the subcommittee, Joe Skeen, but before doing so, I want to note for the record that this has been a bipartisan investigation by the subcommittee staff and members, and I certainly deeply appreciate the hard work and cooperation of my colleague, Mr. Skeen, and his staff in this investigation. I recognize him at this time.

Mr. SKEEN. Thank you very much, Mr. Chairman. I would also like to underscore my strong support for the programs administered by FEMA, particularly those authorized by the Committee on Science and Technology. These include the Federal Fire Prevention and Control Act of 1974 and the Earthquake Hazards Reduction Act of 1977. The achievements of FEMA's programs to reduce national fire loss, including training and education, together with programs designed to mitigate the hazards of earthquakes, contribute to a better understanding and ability to deal with natural and manmade disasters of all kinds.

Like you, Mr. Chairman, I believe it is extremely important that the allegations of misconduct and mismanagement by senior-level FEMA officials are dealt with promptly and in a bipartisan manner. In fact, it is essential if we are to continue our support of these developing programs rather than impede them.

Mr. Chairman, equally important to the programs in FEMA, which you and I both support, are the integrity and the character of the officials who administer them. It is also equally important that we as a subcommittee preserve the character and integrity of the witnesses called before us. If we are contemplating an inquiry today to address these allegations seriously, we must take all possible steps to preserve fundamental fairness and due process.

Last night, to my dismay, I witnessed a network news report that FEMA officials were to be charged by this subcommittee today with fraud. It is clear to me that whoever reported this to the media decided the strategy is that the issues considered here today would be resolved in the media and not as a legitimate review of recent FEMA management practices by this subcommittee.

Despite these circumstances, Mr. Chairman, I believe that we should not adopt a motion at this time that the testimony be presented in executive session under provisions of clause 2(k)(5), rule XI of the House of Representatives. I know that you, Mr. Chairman, like myself, do not want to see any actions by this subcommittee as being unfair to any of the parties concerned.

Since we will also have a full and open report, I think we ought to keep this just as full and open right from the very beginning as possible. Lay it all on the line here today, or whatever it takes to have this hearing done. But I still resent deeply that someone has to take it upon themselves to notify media groups before the allegations are ever made, before the presentation is ever made before the committee, Mr. Chairman.

Thank you very much for your kindness and my presentation this morning, and I hope you will take note of my objections.

Mr. **Gore**. I certainly will. Let me respond briefly to two points. First of all, on the brief report that was on one of the network news programs last night, which was about a two-sentence statement by the anchorman on the news, I can tell you honestly and sincerely that I have no idea how that came about. I really do not. All it said was, there was going to be a hearing, there were charges, and they talked to them, and they said they felt comfortable with their response, and they were going to make a response today. But I do take note of that.

More importantly, I take note of your request, which is most appropriate, a request which I had already considered fully and completely, of course, and that is that we provide all due process and, more than due process, a spirit of fairness to those witnesses who will be testifying today. We certainly will do that, and I want to give my colleague assurances of that fact. That is most appropriate, and we will conduct the hearing in that manner.

Mr. **Skeen**. Mr. Chairman, will you yield?

Mr. **Gore**. Yes; I would be glad to.

Mr. **Skeen**. I appreciate your response to this, and I would like to add one more note. When I used the word media I used it meaning both electronic and print media.

There is also an extensive story in the print media this morning that had to come from some source very close to the committee. I am not going to accuse anybody on this committee of using the media for some strategem or other, but I think it is just amazing to me that during the considerations of these allegations that such a detailed report can come out in the news media. I appreciate your response and your consideration in making this just as fair and open and bipartisan a hearing as possible. I will take you at your word, Mr. Chairman, always. We will go on from there.

Mr. **Gore**. I appreciate that.

Are there any other opening statements?

If not, I would like to call the first witnesses. Let me say also for the record that the subject matter that we are exploring today is within the jurisdiction of the full committee and the subcommittee, and it is part of the congressional oversight function to determine whether the Congress should consider legislation and what that legislative initiative might include.

We are going to have three panels of witnesses today. The first panel is going to be from the General Accounting Office. The second panel will consist of a group of employees from FEMA. Then the third and final panel will consist of the invited witnesses from the Federal Emergency Management Agency.

The first panel is made up of GAO representatives: Mr. John Luke, Associate Director for the Resources, Community, and Economic Development Division; Mr. Charles Adams, a senior evaluator of the same Division; and Ms. Margaret Armen, attorney-adviser with the Office of General Counsel.

Let me note that the rules of the House and committee are present on the table. Because this is an investigative hearing, in keeping with the practice of the Congress and this subcommittee during investigative hearings, we are going to swear all witnesses today. I would like to ask you, first, if you have any objection to being sworn.

The **Witnesses** [in unison]. No objection.

Mr. **Gore**. Ms. Armen, are you appearing in your capacity as counsel or as a witness?

Ms. **Armen**. As counsel to the GAO.

Mr. **Gore**. As counsel to the persons testifying, to the representatives of GAO, and you will not yourself be offering testimony; is that correct?

Ms. **Armen**. I may be responding to some questions.

Mr. **Gore**. Let me ask you all then to stand and raise your right hand.

[The witnesses were sworn en bloc.]

Mr. **Gore**. Starting with you, Mr. Adams, identify yourselves to the reporter, and then we will get underway.

Mr. **Adams**. My name is Charles Adams. I work for the Resources, Community and Economic Development Division of the U.S. General Accounting Office.

Mr. **Luke**. John Luke, Associate Director, U.S. General Accounting Office.

Ms. **Armen**. Margaret Armen, attorney-adviser, Office of General Counsel, General Accounting Office.

Mr. **Gore**. Fine. Mr. Luke, you have a prepared statement. If you could hit the high points of it or go into as much detail as you feel is appropriate, we are going to recognize you at this time.

TESTIMONY OF JOHN LUKE, ASSOCIATE DIRECTOR, RESOURCES, COMMUNITY AND ECONOMIC DEVELOPMENT DIVISION, U.S GENERAL ACCOUNTING OFFICE, ACCOMPANIED BY CHARLES M. ADAMS, SENIOR EVALUATOR, RESOURCES, COMMUNITY AND ECONOMIC DEVELOPMENT DIVISION; AND MARGARET L. ARMEN, ATTORNEY ADVISER, OFFICE OF GENERAL COUNSEL, U.S. GENERAL ACCOUNTING OFFICE

Mr. **Luke**. Thank you, Mr. Chairman. What I would like to do, I have a detailed statement, and I would like to submit that statement for the record, but I will summarize that statement and show some slides. Thereafter, we will be open to respond to some questions that you may have.

Mr. Chairman and members of the subcommittee, we are here today at your request to discuss the inquiries we made into allegations concerning Mr. Fred J. Villella, an official of the Federal Emergency Management Agency.

Mr. Villella has been FEMA's Associate Director for Training and Education since June 11, 1981. In this position, he has been responsible for the operation of FEMA's National Emergency Training Center in Emmitsburg, MD. On November 21, 1983, Mr. Villella was also appointed as FEMA's Executive Deputy Director and currently holds both positions.

Mr. Chairman, our testimony addresses two issues identified in your letter of March 22, 1984. First, you asked whether Mr. Villella had converted building G at FEMA's National Emergency Training Center into eight bedrooms for executives at a cost of $300,000. You also requested that we determine whether Mr. Villella was personally using a Lincoln Continental at Government expense.

In summary, we found that Mr. Villella, the official responsible for operating the National Emergency Training Center, approved renovations to building G. Initially, a $197,777 firm fixed-price contract was awarded to convert building G from its former use as home economics classrooms with a 7-room apartment residence on the second floor, to 15 bedrooms with adjoining private bathrooms. Between September 1983 and March 1984, the contract was modified five times, and the cost increased by about 85 percent to $366,936.

Essentially, the modifications reduced the number of bedrooms and adjoining private bathrooms from 15 to 12, and increased the size and improved the quality of several of the bedrooms and bathrooms. The modifications also added a social room with wet bar on the first floor, a fire alarm and sprinkler system, a complete kitchen with a six-burner commercial gas range, with a fire-suppression system on the second floor. Decorative changes on the second floor included a fireplace modification, a window seat, a copper lined planter, and a Murphy bed.

The need for these changes appeared to be related to the intended use of building G, and the intended use was a matter subject to differing explanations by the FEMA officials with whom we spoke and the documents we reviewed. The various explanations given included: One, student rooms; two, temporary quarters for VIP guests; three, executive quality student rooms with space for working dinners and cocktail parties; four, quarters in support of a classified mission at the training center; and five, a residence for the director of the training center.

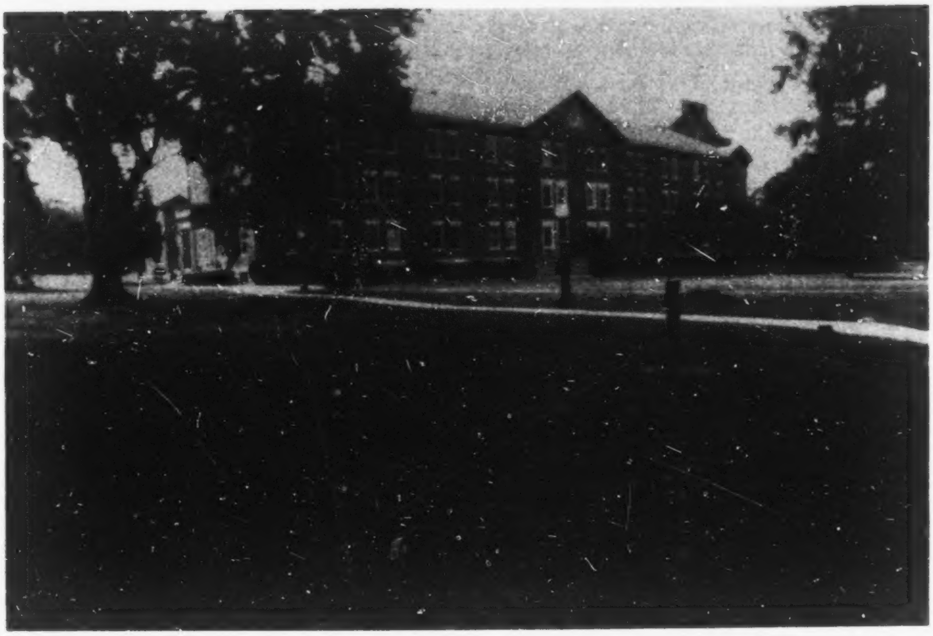
Regarding your concern that Mr. Villella was personally using a Lincoln Continental at Government expense, Mr. Villella told us that he used Government-leased vehicles, including a Lincoln town car, to commute between his office at the training center in Emmitsburg, MD, and his office at FEMA headquarters and other work locations in Washington, DC. He also said that frequently he traveled home in Government-leased vehicles in connection with trips between work locations. Such use of Government vehicles for home-to-work transportation violates 31 USC 1344 and FEMA's current appropriation act, Public Law No. 98-45.

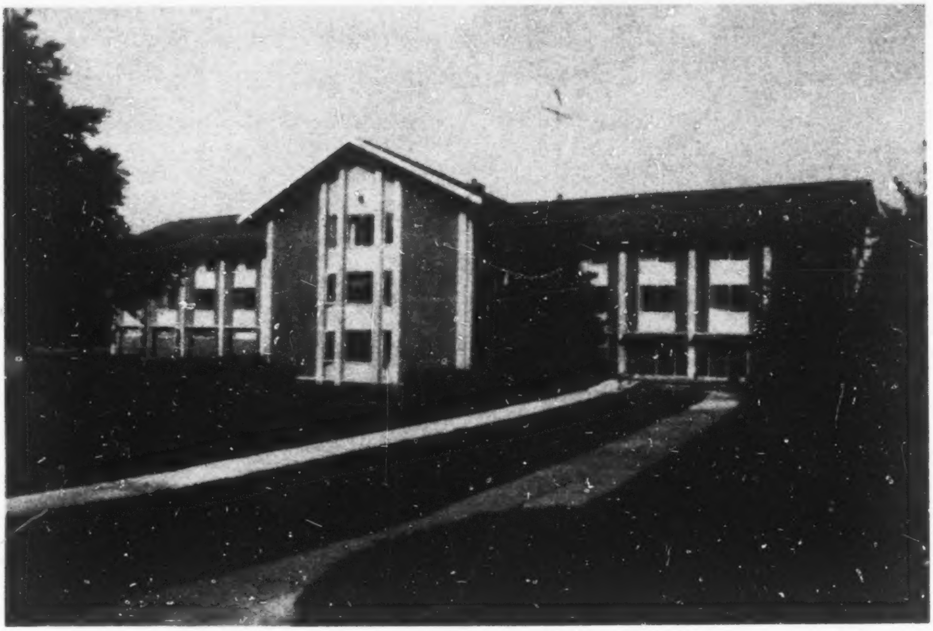
Although there are no official vehicle logs which could be used to establish the full extent of personal use, a contract security guard told FEMA's Office of Inspector General that she drove Mr. Villella from his home to his office at the training facility an average of two times per week and ran errands for Mr. Villella using Government vehicles.

At this time, Mr. Chairman, we would like to show some slides with respect to the renovations of building G.

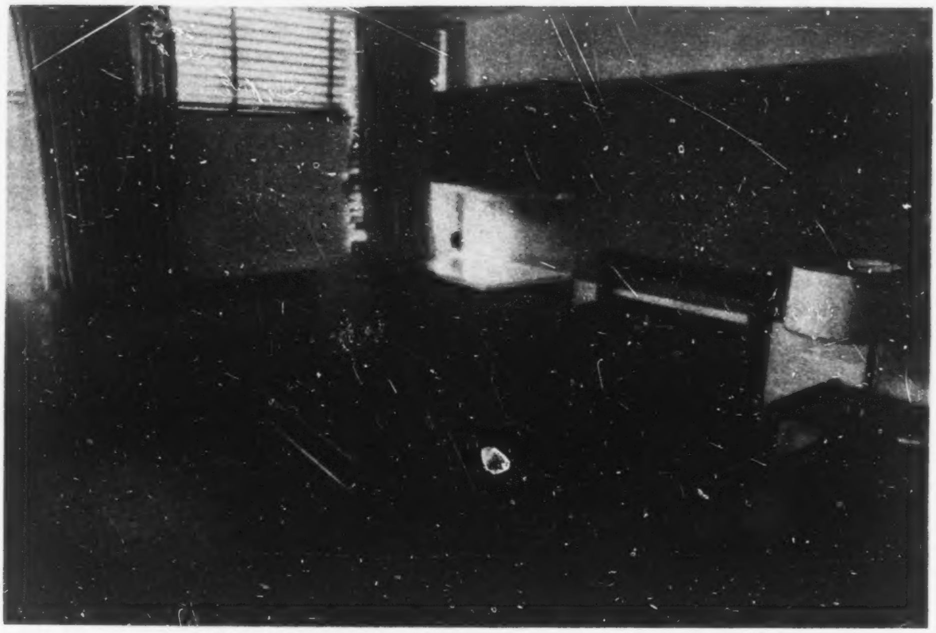
Mr. GORE. All right. Will somebody turn the lights off back there and move those charts out of the way so that the subcommittee can see the slides.

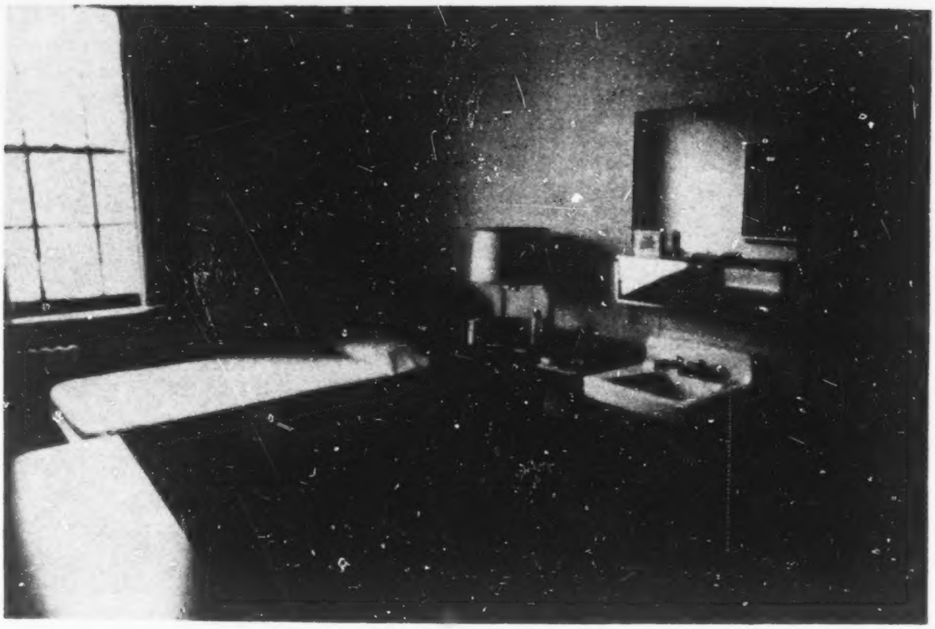
Mr. ADAMS. Mr. Chairman, these slides were taken last week during our latest visit to the training center. The first two slides show buildings at the training center that do contain quarters for students.

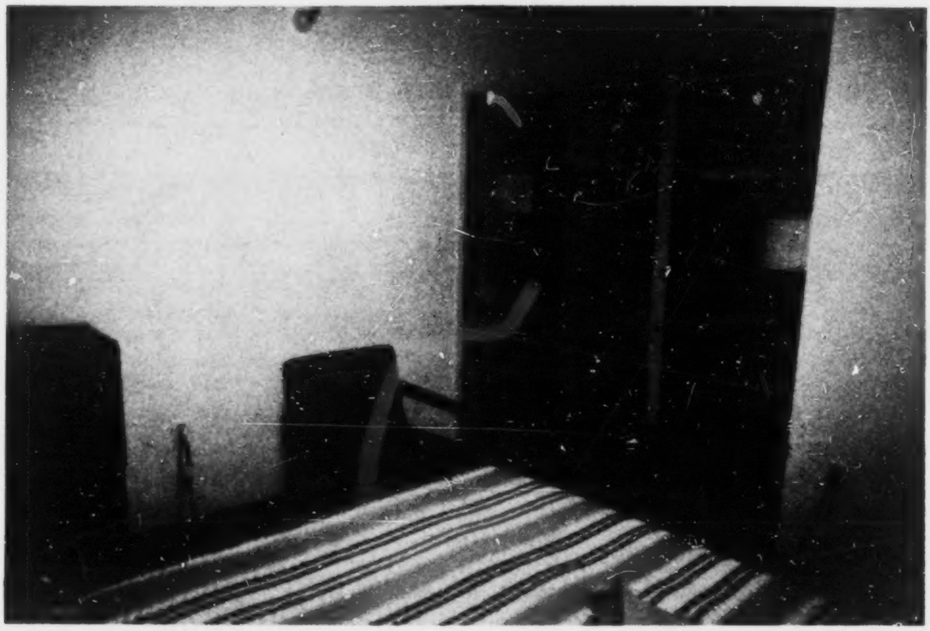




The quarters in these two buildings were formerly college dorm rooms, and they are shown here to provide an example of the type of buildings that are on campus, as well as those that do have some housing for students.







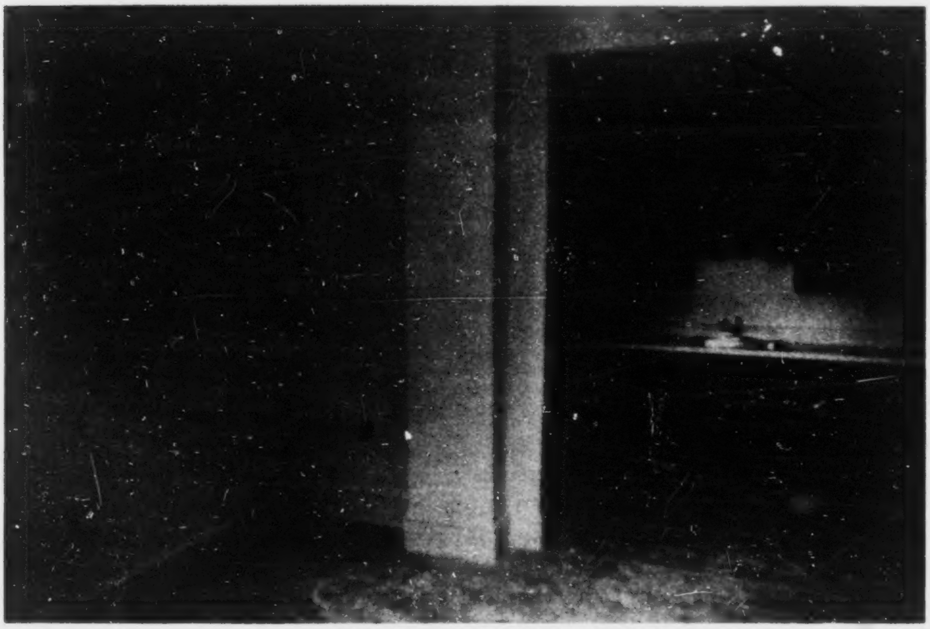
The next four slides show typical rooms that are available at the center. These rooms are used for the students who participate in classes at the training center. As you can see, these rooms were the former college dormitory rooms that the Government obtained when they obtained the site itself.

May I have the next slide please?

This is building G, which we discussed in our testimony statement. This building is located approximately 200 yards from the cafeteria at the campus.

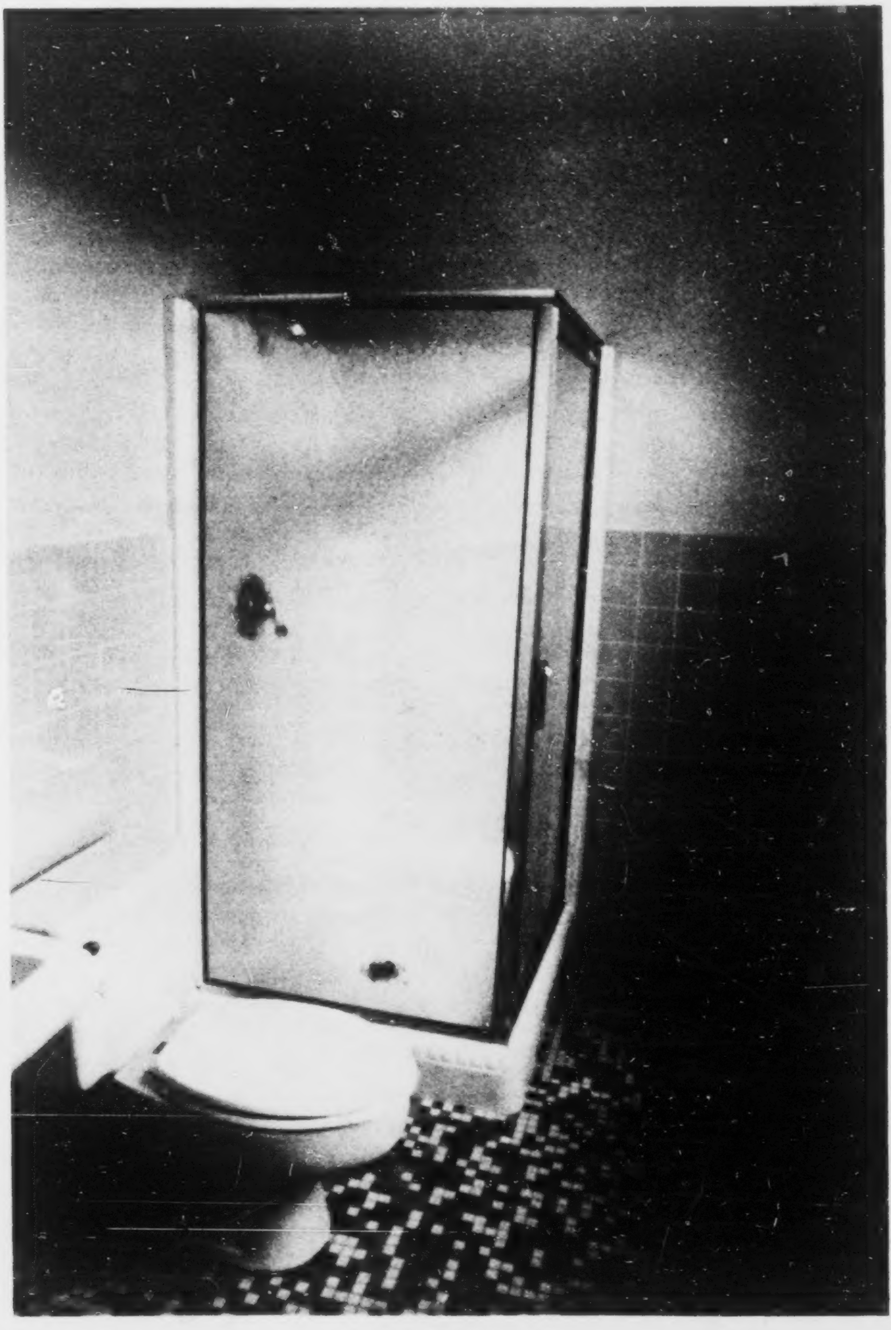
Mr. SKEEN. How old is this building, Mr. Adams?

Mr. ADAMS. This building was constructed in 1948, I believe.



This first floor room that I am showing you here was originally designed in the renovation plans as a bedroom, and it was converted at a later point in time as a social room, and at the back of the room we can see the cabinetry that was added to the room.

Next slide, please.



I also wanted to show another slide depicting a first-floor bathroom, to show you what the renovations look like now. This is a first-floor bathroom that adjoins one of the bedrooms on that first floor.

Mr. SKEEN. This is still building G?

Mr. ADAMS. This is building G. All the remaining slides are of building G.

Next slide, please.

This slide depicts the copper-lined planter in the foyer of the second floor. This was one of the amenities that was added to the building after the original contract had been signed.

Mr. **Skeen**. What type of flooring is that?

Mr. **Adams**. The flooring in this particular area is tile. The flooring on the second floor of the building itself generally is hardwood. The first floor of the building will be carpeted.

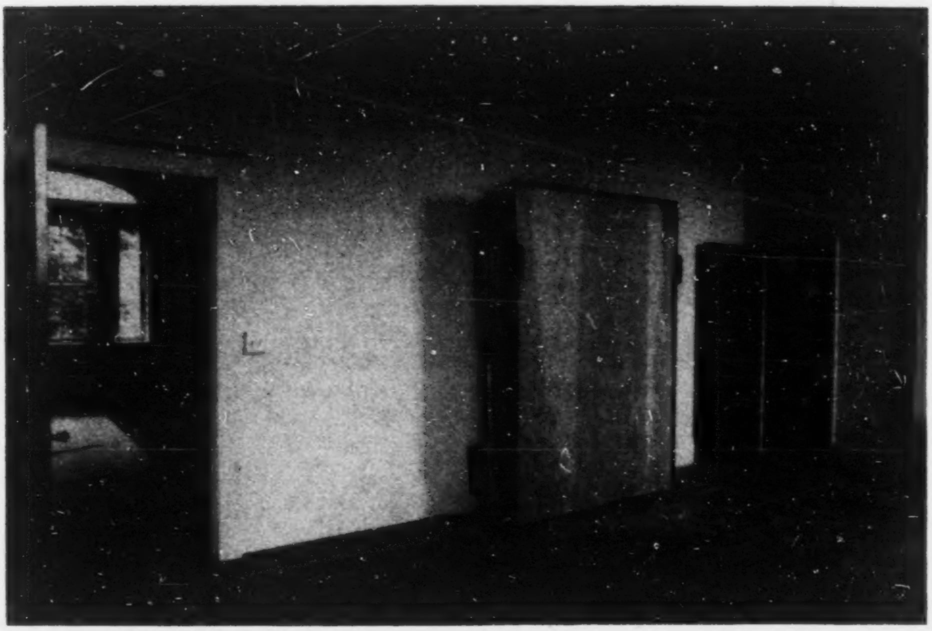
Mr. **Skeen**. But this is terrazzo tile?

Mr. **Adams**. I believe that is what it is, sir.

Next slide, please.

This is a picture of the living room area on the second floor of the building, with the fireplace at the center. The room on the right is the bedroom that was intended to become a library. It now contains a Murphy bed. The room beyond is further living room space, and the doorway on the far left-hand corner is an entryway into the kitchen area.

Next slide, please.

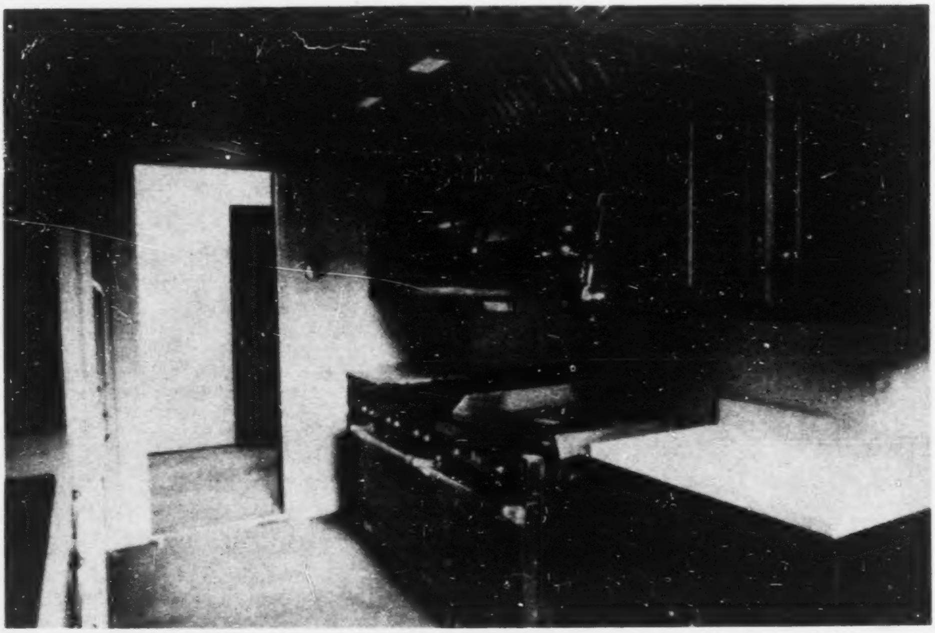


This is the bedroom that contains the Murphy bed, and as you can see from the picture, the sides of the Murphy bed are, as yet, unfinished. In the original revision to the renovation plan, this was going to be used as a library, with the optional use as a bedroom, and the Murphy bed would have been enclosed with shelving that was later removed from the plan as a cost-saving measure.

Next slide, please.

This is the kitchen cabinetry in the second-floor kitchen.

Next slide, please.



On the right-hand side of the kitchen, we have the kitchen stove which was installed. This is a Vulcan Heart stove of a commercial size.

Mr. GORE. What was the cost of that stove and accessories?

Mr. ADAMS. Approximately $11,100, installed.

Mr. GORE. A gourmet stove, of the kind not normally found in a residence; is that correct?

Mr. ADAMS. That is correct. Six burners.

Mr. SKEEN. Will somebody explain to me what a gourmet stove is? I know what gourmet food is, but tell me what a gourmet stove is.

Mr. GORE. A stove that is normally found in restaurants and used for the kind of cooking that one would——

Mr. LUKE. For commercial establishments.

Mr. GORE. They had to use a crane to get it in there, is that right?

Mr. ADAMS. Yes; that is correct.

Mr. SKEEN. It is more of a commercial stove. I don't know what——

Mr. GORE. We will get into the gourmet business a little bit later.

Mr. SKEEN. I would very much like for somebody to explain to me what distinguishes a gourmet stove from a commercial stove.

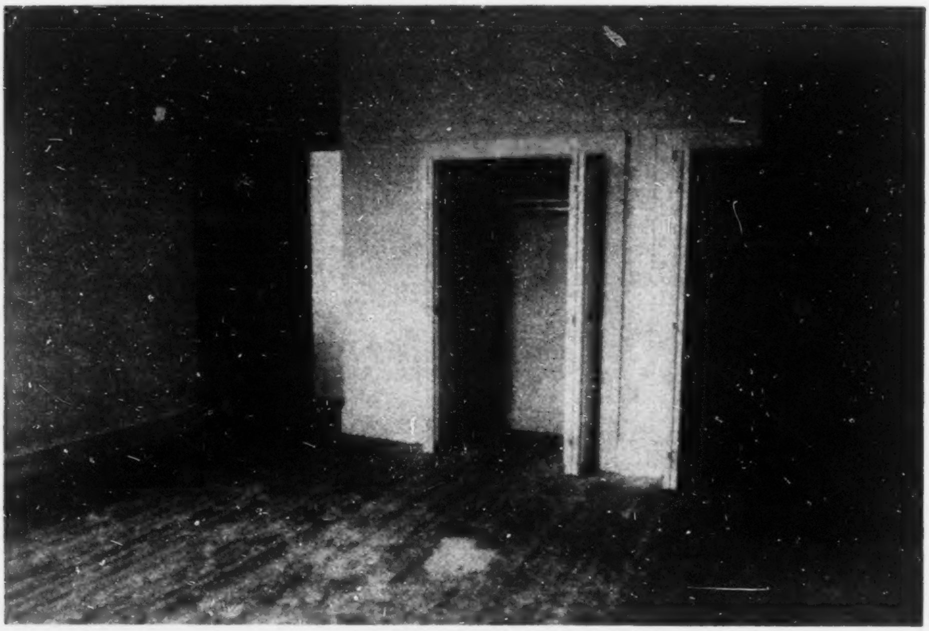
Mr. GORE. Not that it tastes better. Go ahead.

Next slide, please.

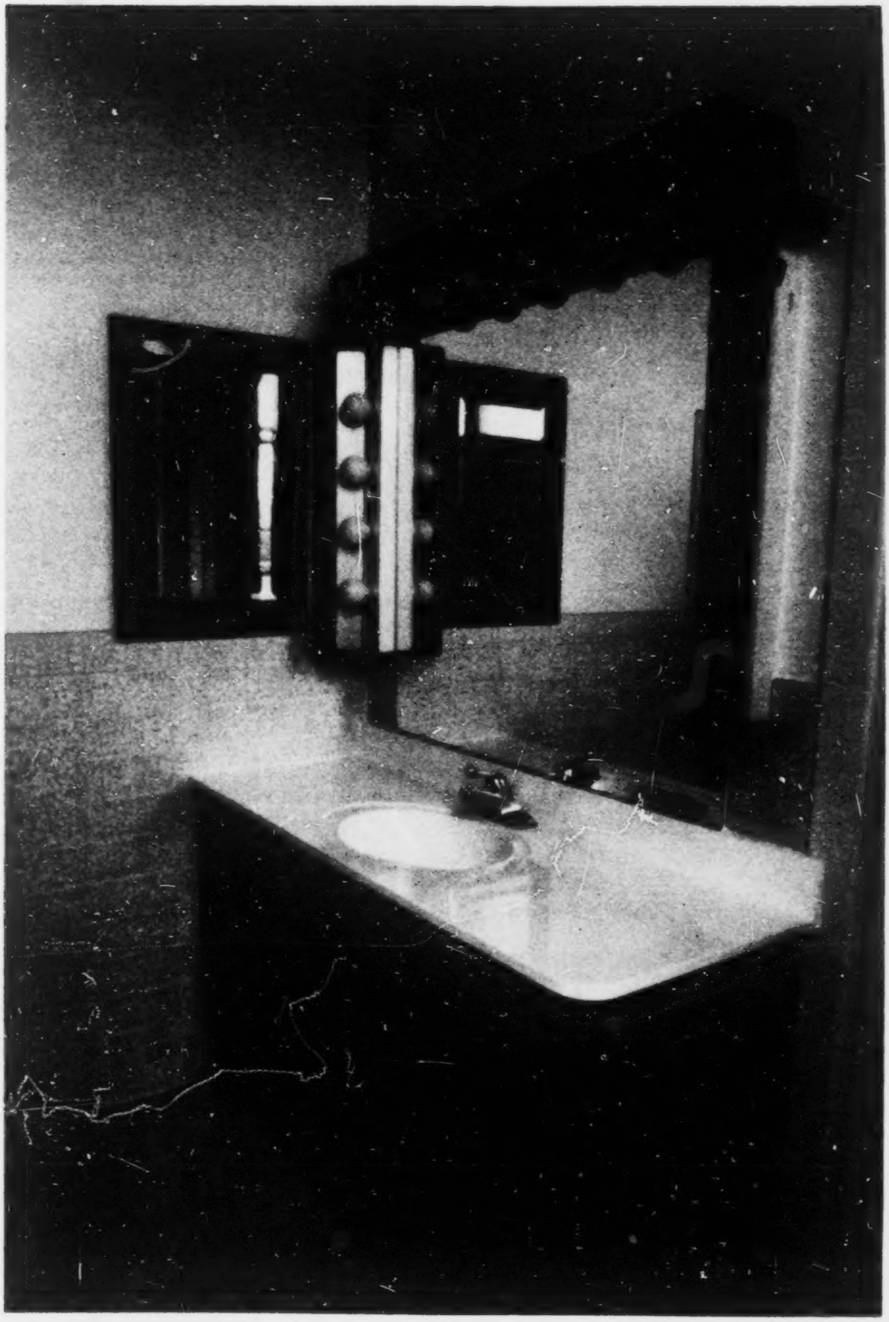
Mr. ADAMS. This is a further picture of the stove. It is a double-oven stove. It has a broiler. At the far end of the cabinetry—it is difficult to see—but there is also a microwave oven installed. Above the stove is an extensive hood and a fire-suppression system that is also built into the facility.

Next slide, please.

This is bedroom space on the second floor.



Next slide, please.



This is the window seat that was added to the plan in the second floor, and this is a picture showing a bathroom area of the second floor.

Mr. Chairman, that completes our slide presentation.

[The prepared statement of Mr. Luke follows:]

UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

FOR RELEASE ON DELIVERY
EXPECTED AT 9:30 AM EDT
AUGUST 1, 1984

STATEMENT OF

JOHN LUKE, ASSOCIATE DIRECTOR
RESOURCES, COMMUNITY, AND ECONOMIC DEVELOPMENT DIVISION

BEFORE THE
SUBCOMMITTEE ON INVESTIGATIONS AND OVERSIGHT
OF THE
COMMITTEE ON SCIENCE AND TECHNOLOGY
HOUSE OF REPRESENTATIVES

ON

RECENT MANAGEMENT PRACTICES AT THE FEDERAL EMERGENCY MANAGEMENT AGENCY

Mr. Chairman and Members of the Subcommittee:

We are here today at your request to discuss the inquiries we made into allegations concerning Mr. Fred J. Villella, an official of the Federal Emergency Management Agency (FEMA). Mr. Villella has been FEMA's Associate Director for Training and Education since June 11, 1981. In this position, he has been responsible for the operation of FEMA's National Emergency Training Center in Emmitsburg, Maryland. On November 21, 1983, Mr. Villella was also designated as FEMA's Executive Deputy Director and currently holds both positions.

Mr. Chairman, our testimony addresses two issues identified in your letter of March 22, 1984. First, you asked whether Mr. Villella had converted building "G" at FEMA's National Emergency Training Center into eight bedrooms for executives at a cost of $300,000. You also requested that we determine whether Mr. Villella was personally using a Lincoln Continental at government expense.

In summary, we found that Mr. Villella and his deputy, approved renovations to building "G." Initially, a $197,777 firm fixed price contract was awarded to convert building "G" from its former use as a home economics training center on the first floor with a 7 room apartment residence on the second floor to a total of 15 bedrooms with adjoining private bathrooms on both floors. Between September 30, 1983, and March 5, 1984, the contract was modified five times and the cost increased by about 85 percent to $366,936.

The need for these changes appears to be related to the intended use of building "G", and the intended use was a matter subject to differing explanations by the FEMA officials with whom we spoke and in the documents we reviewed. The various explanations given included (1) student rooms, (2) temporary accommodations for VIP guests, (3) senior government official quality student rooms with space for working dinners and cocktail parties, (4) classified missions in the event of emergency, and (5) a potential residence for the director of the training center.

Regarding your concern that Mr. Villella was personally using a Lincoln Continental at government expense, Mr. Villella told us that he used government rented and leased vehicles, including a Lincoln Town Car, to travel between his official duty station at the training center in Emmitsburg, Maryland, and his office at FEMA headquarters and other work locations in Washington, D.C. He and his driver also said that frequently he traveled to his home in government rented and leased vehicles in connection with these trips between work locations. Use of government rented and leased vehicles for home to work transportation violates 31 U.S.C. 1344 and FEMA's current appropriation act (Public Law No. 98-45).

BACKGROUND

FEMA's National Emergency Training Center is located on the site of the former St. Joseph's College, Emmitsburg, Maryland. The federal government acquired the college site in 1979 and FEMA now uses the site for emergency management and fire training classes and conferences.

The renovation of building "G" is one of a number of renovation projects that FEMA has undertaken at the training center in recent years. FEMA officials explained that the renovations generally have been designed to upgrade the college dormitories and provide adequate accommodations for the federal, state and local officials that attend the 1- to 2-week training courses.

Building "G", a two story brick and concrete structure, was built in 1948. The building also has a one story annex that was not included in the recent renovation project. The college used the first floor of the main building as its home economics classrooms. The second floor contained seven rooms and served as a private residence.

RENOVATION PLANS AND CHANGES

FEMA contracted with an engineering consulting firm, to provide the detailed engineering drawings and specifications for the renovation. These drawings, dated May and June 1983, called for the following major renovations to building "G":

- --The first floor was to be subdivided into 10 bedrooms with adjoining private bathrooms. The bedrooms were to range in size from about 10' by 11'6" to 12' by 15'.
- --The plan for the second floor retained the original seven-room apartment layout with living and dining rooms. It called for the conversion of the kitchen into a fifth bedroom with an adjoining bathroom. In addition, a bathroom was to be added to one of the original bedrooms and one bathroom was to be replaced by a kitchenette.

On August 31, 1983, FEMA competitively awarded a $197,777 firm fixed price contract for renovating building "G." The contractor started the renovation in September 1983 and the work was to be completed in January 1984.

- --The second floor plan was changed to contain four bedrooms rather than five. This change was made by converting space designated for one bedroom into a complete kitchen. Also, the space designated as a kitchenette was modified to eliminate a stove and include space for a clothes washer and dryer. Additionally, the second floor changes included a six burner commercial gas range in the kitchen with a fire suppression system, a fireplace modification, a window seat, and copper-lined planter, and a Murphy bed.

The floor plans for the original renovation and the changes are illustrated in the charts before you and in appendix I of my statement. A summary listing of the items included in the contract modifications and the cost of these changes is contained in appendix II of my statement.

RENOVATION JUSTIFICATION

Because this subcommittee arranged for a hearing to review FEMA's plans for building "G" and other matters, we limited our work to determining the scope of the renovation work performed and identifying the various explanations previously given about the building's intended use. To identify the intended use for building "G" and justification for the renovation and changes, we reviewed the contract files and interviewed FEMA officials familiar with the project. We found a number of differing explanations on the intended use of building "G."

The FEMA Requisition and Commitment for Services and Supplies initiated on June 10, 1983, states that the justification for renovating building "G" was to provide 15 student rooms. This request reserved $200,000 for the renovation and was approved by Mr. Villella, as FEMA's Associate Director for Training and Education. At about the same time, a note on the blueprints for the project, dated May 26, 1983, stated that the renovation would provide temporary accommodations for VIP guests. The renovation contract was based on the blueprints.

Following the initiation of the changes in the renovation plan, a justification for the renovation changes was prepared. A January 28, 1984, memorandum, signed by the Deputy Associate Director for Training and Education states that the training center was becoming increasingly involved in programs in which the participants were senior government officials at the federal, state, and local level, and that housing must be provided that is equivalent to their status. In addition, the memo states that the training center campus had been assigned certain classified missions[1] in the event of emergency and that planning factors had to be considered to include appropriate modifications to previously approved projects. The memo concluded by stating that during the renovation of building "G" changes had been identified which are considered necessary to upgrade the quality of hous~~ing,~~ and it states that the intended use would be to house senior officials attending training programs.

During our interviews, FEMA officials provided additional explanations for the changes and described another potential use for building "G." The Deputy Associate Director explained that building "G" included space for working dinners and cocktail parties. In addition, Mr. Villella said that he has been interested for about 2-1/2 years in establishing a residence at the training center, and the second floor had potential to be used for that purpose. He said that both he and FEMA's Director believed a residence at the training center, like the one at the U.S. Army War College at Carlisle, Pennsylvania, was necessary due to the need for on-site representation beyond normal working hours.

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[1] Further clarification of the classified mission is not included here because of its classified nature. In addition, because of our limited role in identifying the explanations for the renovation we did not attempt to review the classified documentation on this mission or discuss it further with FEMA officials.

FEMA's General Counsel confirmed that Mr. Villella had requested information on several occasions about the circumstances under which a residence could be established at the training center. The General Counsel's memorandum of October 19, 1981, stated that such a decision could be made by the Director of FEMA if, among other findings, suitable housing was not available within a reasonable distance. FEMA's General Counsel told us that such a finding would need to consider the availability of housing in nearby places such as Emmitsburg and Thurmont, Maryland, and Gettysburg, Pennsylvania. However, he said that as of July 19, 1984, this determination had not been made.

VEHICLE USE

Rented and leased government cars, including a Lincoln Town Car for about a 2-month period during October-December 1983, were assigned for Mr. Villella's use based on each of his two FEMA positions. As the Associate Director for Training and Education, Mr. Villella's official duty station has been the Emmitsburg training center since about June 1981. According to Mr. Villella, he also retained an office at FEMA headquarters because the Director of FEMA wanted him to split his time between the two locations. On November 21, 1983, Mr. Villella also was designated as FEMA's Executive Deputy Director, but his official duty station remained the Emmitsburg training center. As FEMA's Executive Deputy Director, Mr. Villella has been assigned the use of a headquarter's leased vehicle since November 1983. This car was also made available to other headquarters FEMA officials for official business in the Washington, D.C., area.

In addition, Mr. Villella was assigned a government rented or leased car from the Emmitsburg training center from July 1981 until June 1984. During this period, Mr. Villella lived at several locations, including Arlington, Virginia; Frederick, Maryland; and Bethesda, Maryland. The first car was a 1980 Oldsmobile Cutlass rented by the training center from Budget Rent-A-Car in Middletown, Pennsylvania, from July 9, 1981, to March 11, 1982. In November 1981, a leased car was requisitioned, and in March 1982, a 1982 Ford Granada was received. Subsequently, approval for a larger, class III vehicle was requested from the General Services Administration, to provide better seating for Mr. Villella because of a back disorder. A 1983 Mercury Marquis was approved and received for Mr. Villella's use beginning in May 1983. On October 14, 1983, the Mercury Marquis was involved in an accident in Arlington, Virginia, near National Airport. According to Mr. Villella, an employee from the training center had delivered him to the airport for a departing flight before the accident occurred.

In October 1983, the Ford Motor Company provided a Lincoln Town Car to temporarily replace the leased Mercury Marquis while it was being repaired. The Lincoln Town Car was assigned to Mr. Villella when it too was involved in an accident on December 19, 1983. The accident occurred while the Lincoln Town Car was parked in the parking lot of Mr. Villella's apartment then in Arlington, Virginia. Subsequently, the Mercury Marquis was returned for Mr. Villella's use until June 28, 1984, when it was reassigned to another FEMA official.

According to correspondence between FEMA and the General Services Administration in connection with the request and approval for the Mercury Marquis, the training center government-leased car was to be used to attend meetings at FEMA headquarters and on Capitol Hill by Mr. Villella, whose official duty station was at the Emmitsburg training center. We asked Mr. Villella whether he used the cars that he had been assigned to travel to and from work because the accident involving the Lincoln Town Car occurred while it was in the parking lot of his apartment.

Mr. Villella told us that he frequently took home the training center cars assigned to him after afternoon meetings at FEMA headquarters. Mr. Villella said he had asked FEMA's General Council about using a car to go home. Mr. Villella said that the General Council reported that it would be permissible for him to drive his car home if the trip had been made coincident with business in Washington, D.C. FEMA's General Council confirmed that he had provided this advice to Mr. Villella early in his tenure at the training center.

Mr. Villella told FEMA's Office of Inspector General, which also was inquiring into the use of government vehicles, that he had a contract security guard at the Emmitsburg training center assigned to him as a driver for about 18 months. During that time, the driver would drop him off at his residence on the way back from meetings in Washington, D.C. He also said that the driver may have used his training center car to take clothes to be cleaned, his glasses to be repaired, get medicine from the drug store, and, on occasion, take him to the doctor in Emmitsburg.

We found no vehicle logs which could be used to establish the exact uses of the training center rented and leased cars assigned to Mr. Villella. However, the contract security guard at the Emmitsburg training center told FEMA's Office of Inspector General that she was assigned as Mr. Villella's driver from the end of July 1981 until January 1983. She said that she took him to various places, many of which were in Washington, D.C., such as FEMA headquarters, congressional hearings, cocktail parties, and occasionally she took him to the doctor. In addition, she said that she took him to his doctor in Emmitsburg five different times, and to his dentist in Fort Richie, Maryland, twice. She further said that she would go to the bank to cash checks for him, both when he was in Washington and also in Emmitsburg; pick up medication from the drug store; get his lunch; drop off and pick up his cleaning; go to his apartment located then in Frederick, Maryland, and later when he moved to Bethesda, to pick up papers and a change of clothes and various items he may have requested.

The contract security guard also said that for about one year prior to his wife's moving to Washington, D.C., in about May or June 1982, Mr. Villella did not have his own personal car except when his wife came to visit him. She also said that during this period, on an average of about twice per week, she would pick Mr. Villella up in the morning at his apartment then in Frederick, Maryland, and take him to work at the training center. She said she did this for about one year. She and other contract personnel also told FEMA's Office of Inspector General about a trip they made in a training center motor pool vehicle to clean Mr. Villella's apartment.

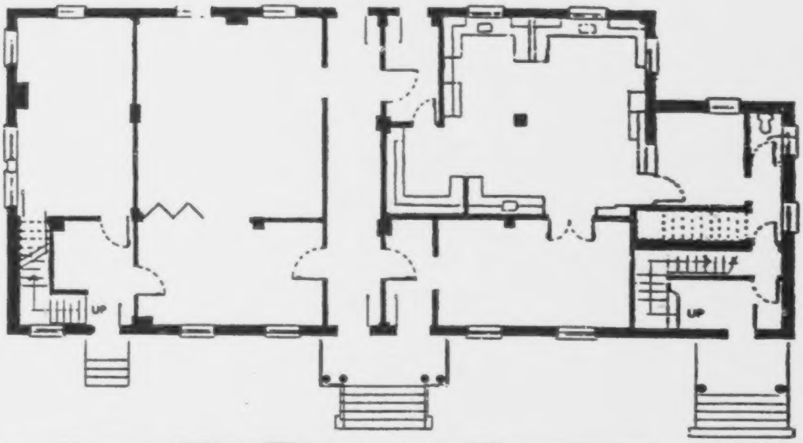
Using government vehicle for "the transportation of any officer or employee . . . between his domicile and his place of employment . . ." violates section 406 of FEMA's current appropriation act. This restriction has been included in FEMA's appropriation act every year since 1978 and the same provision is also permanently codified in 31 U.S.C. 1344 (1982). In 62 Comp. Gen. 438 (1983) we stated the restriction on home to work transportation "constitutes a clear prohibition which cannot be waived or modified. . ." Id. at 441. An employee's convenience, or even achieving a savings to the Government do not create exceptions to the rule which, simply put, states that it is the employee's responsibility to get to and from work on his own.

- - - -

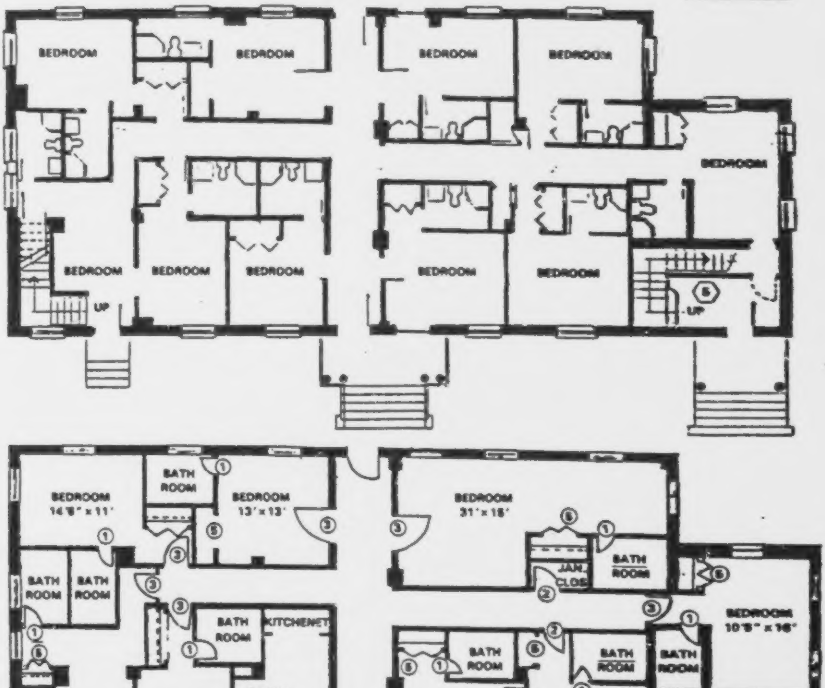
Mr. Chairman, that concludes my prepared statement. If you would like, I can show some slides depicting the renovations made to building "G" at the Emmitsburg training center. I also would be pleased to answer any questions you have at this time.

APPENDIX I

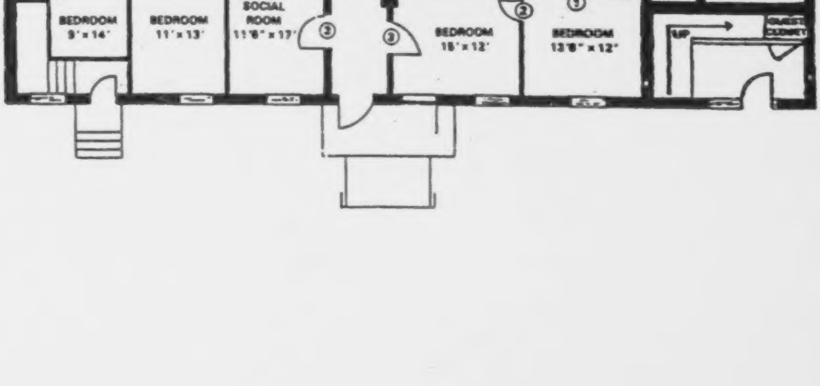
RENOVATION OF BUILDING "G"
NATIONAL EMERGENCY TRAINING CENTER
FIRST FLOOR



FIRST FLOOR
BEFORE
RENOVATION


BEDROOM
BEDROOM
BEDROOM
BEDROOM
BEDROOM
BEDROOM
BEDROOM
BEDROOM
BEDROOM
BEDROOM
UP
UP

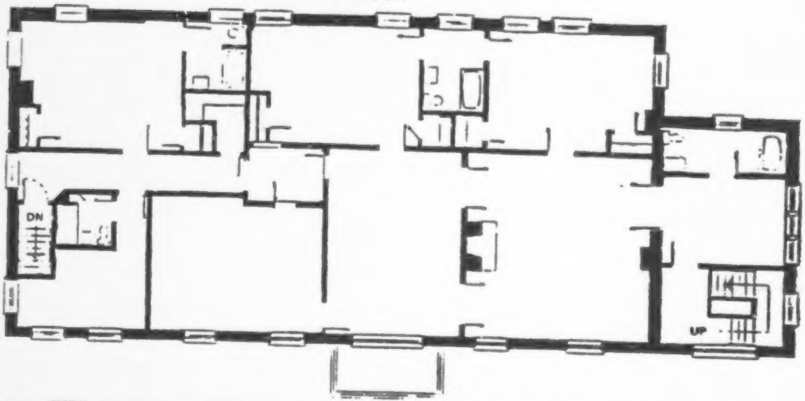
RENOVATION
PLAN BY THE
BAHAM CORP.

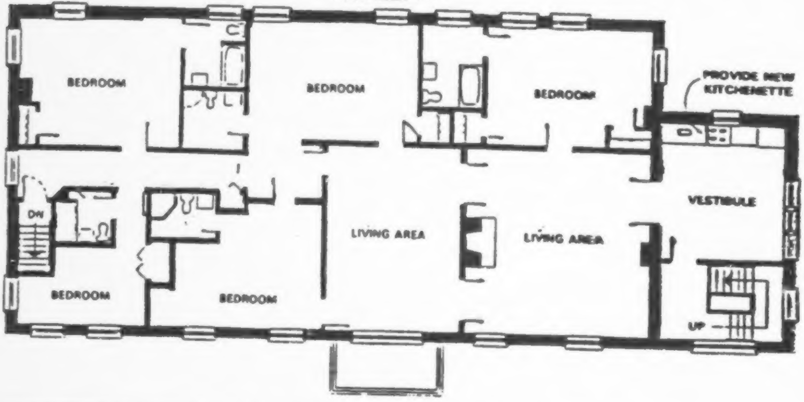

BEDROOM
14'6" x 11'
BATH ROOM
BEDROOM
13' x 13'
BEDROOM
31' x 16'
JAN. CLOS.
BATH ROOM
BATH ROOM
BATH ROOM
BEDROOM
10'6" x 16'
BATH ROOM
KITCHENET
BATH ROOM
BATH ROOM
BATH ROOM
BEDROOM
9' x 14'
BEDROOM
11' x 13'
SOCIAL ROOM
11'6" x 17'
BEDROOM
15' x 12'
BEDROOM
13'6" x 12'
UP
GUEST CLOSET
①
②
③
⑤
⑥

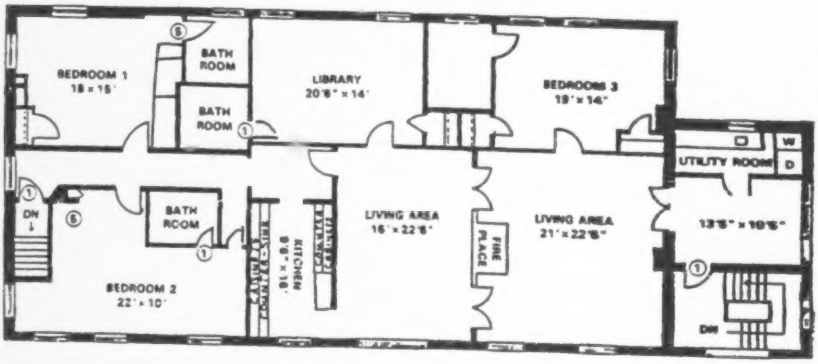
FEMA's REVISED
RENOVATION
PLAN

APPENDIX I

RENOVATION OF BUILDING "G"
NATIONAL EMERGENCY TRAINING CENTER
SECOND FLOOR


SECOND FLOOR
BEFORE
RENOVATION


RENOVATION
PLAN BY THE
BAHAM CORP.
BEDROOM
BEDROOM
BEDROOM
PROVIDE NEW KITCHENETTE
DN
VESTIBULE
LIVING AREA
LIVING AREA
BEDROOM
BEDROOM
UP


FEMA's REVISED
RENOVATION
PLAN
BEDROOM 1
18 x 15'
5
BATH ROOM
BATH ROOM
1
LIBRARY
20'6" x 14'
BEDROOM 3
19' x 14"
W
UTILITY ROOM
D
1
DN
↓
5
BATH ROOM
1
KITCHEN
9'6" x 16'
LIVING AREA
16' x 22'6"
FIRE PLACE
LIVING AREA
21' x 22'6"
13'6" x 10'6"
1
BEDROOM 2
22' x 10'
DN

APPENDIX II

SUMMARY OF CHANGES TO THE RENOVATION CONTRACT FOR BUILDING "G" NATIONAL EMERGENCY TRAINING CENTER EMMITSBURG, MARYLAND

CHANGE	COST
Increase the size of bathrooms and showers, replace existing tile, install raised custom vanities, replace new fiberglass shower stalls and associated changes	$ 35,172
Install fire alarm and sprinkler system, relocate sprinkler system pipe	29,096
Install complete kitchen on second floor including a 6 burner commercal gas range with fire suppression system	27,821
Make structural and plumbing changes	13,496
Modify lighting and install main breaker	13,197
Install first and second floor kitchenettes	12,908
Wire bedrooms for refrigerators, televisions and telephones; install basement and attic lighting	7,146
Install sound-deadening insulation in new walls	6,803
Install doors, trim, and closets	6,625
Make second floor decorative changes including fireplace modification, window seat and copper-lined planter	5,646
Install Murphy bed in second floor bedroom and make electrical changes	4,211
Relocate heating units and controls	2,703
Miscellaneous items including painting and additional labor charges	4,335
Total	$169,159

Mr. Gore. Let me recognize myself first for some questions, and then I will go to my colleagues.

Let me make it clear that there are several matters that we will be exploring here today. GAO is testifying essentially on only two of the matters that will be inquired about. There are others that we will explore with the next panel.

The two problems that you are testifying about are, number one, the charge that this renovation work was done far in excess of the contract for purposes that were not authorized, and second, the use of Government vehicles. Those are the two matters that you are testifying here about.

You have some knowledge about the other matters because you conducted an investigation and you talked with a lot of people. We are going to ask you to stick around, and if you can help us with some of these other matters, we want you to do so.

First of all, on the building, the essence of the problem as I see it, and I am going to ask you questions about this, is that a building that was supposed to be renovated at a cost of about $170,000 for 15 dormitory-style rooms for students to come to the National Emergency Training Center, that project was changed and the contract was increased by 85 percent, and they ended up spending another $160,000 to develop a private residence for the Director.

First of all, based upon what you at GAO have been told by FEMA officials, Mr. Adams, were you at any point told that this was intended to be a residence for Mr. Villella?

Mr. Adams. When we interviewed Mr. Villella, he told us, in response to our question about the renovation, that he had been interested in establishing a residence at the training center for about 2½ years, and we were specifically referring to building G at that time.

Mr. Gore. Give me that response again, if you would.

Mr. Adams. Mr. Villella stated that he had been interested in establishing a residence at the training center for about 2½ years.

Mr. Gore. He had some problems with that legally because the general counsel of FEMA informed him that that could not be done, without a statutory change or a specific finding by the FEMA Director; is that correct?

Mr. Luke. That is correct. What the general counsel reported was that a determination had to be made with respect to the use in the residence of that building. Now, apparently the Director has the discretion to make that decision, but as of today, that decision has not been made.

Mr. Gore. Mr. Giuffrida requested from the general counsel of FEMA whether or not this could be turned into a private residence for Mr. Villella; is that correct?

Mr. Luke. That is not quite correct, as I understand it. Mr. Giuffrida's request to the general counsel was with respect to establishing a residence in general at the center.

Mr. Gore. But it was clear from the circumstances that the residence was intended to be used by Mr. Villella at least, Mr. Adams. you said——

Mr. Luke. From the perspective of Mr. Villella. In talking to Mr. Giuffrida, that may not be quite the case. As a matter of fact, Mr. Giuffrida, in stating that he wished residence quarters at the site, indicated to us that he did not have in mind building G being that residence.

Mr. GORE. I have here a memorandum, and copies are in the briefing material for the members. It is a memorandum to Louis Giuffrida from George Jett, the General Counsel. It says:

> At a recent meeting with Fred Villella at NETC, I was informed that you were considering a recommendation from Mr. Villella for the restoration of a residence apartment at the NETC to be used by the associate director of training and education. I would like to give you my legal comments on the feasibility of this recommendation.

The General Counsel goes on to say that it is simply not appropriate. But, they went ahead and made these change orders anyway.

Now let me establish their position. Mr. Villella is the Associate Director of Training and Fire Programs at the National Emergency Training Center and the person referred to in this memorandum. And, of course Mr. Giuffrida is the Director of FEMA.

We talked about these renovations. Were there some circumstances where brand new bathrooms that had just been renovated were ripped out and replaced with more expensive and luxurious bathroom fixtures and equipment? Did you find any examples like that?

Mr. LUKE. That is correct, particularly on the second floor. There were two bathrooms on the second floor that contained fiberglass shower stalls, as you saw in the slides. Those fiberglass shower stalls resemble those downstairs. In other words, fiberglass shower stalls were on the downstairs level and in two bathrooms upstairs. Those shower stalls upstairs were removed and replaced with ceramic tile.

Mr. GORE. And they had just been put in?

Mr. LUKE. Under the renovation plan, they had just been put in.

Mr. GORE. But they were not quite nice enough, evidently. We will explore that. I hope that is not an unfair conclusion.

Mr. LUKE. Chuck, do you have any more specifics on that?

Mr. ADAMS. The cost of that modification to the contract was approximately $2,800. It was made on March 5, 1984.

Mr. GORE. First of all, let me ask you about the business with the stove. You say this stove cost a little over $11,000. Was GAO ever told who was going to use a stove of that kind?

Mr. ADAMS. We had several discussions with FEMA officials about that. In our first discussion, the Deputy Associate Director stated that Mr. Giuffrida may use that stove in preparing meals for NATO visitors and, in a later discussion, stated that a cook from the cafeteria might come over to use that stove.

Mr. GORE. Describe the difference between the original renovation plan and the new plan. Those architectural drawings there are attached to the back of your testimony. Could you describe it?

Mr. LUKE. Are you looking for just the modifications to the plan, Mr. Chairman?

Mr. GORE. That is correct, the modifications to the original renovation plan.

Mr. LUKE. As you know, the original renovation plan called for 15 rooms in the building. The modification called for several floor plan changes. The plan for the first floor was changed to contain eight bedrooms rather than 10. This change was made by converting the space designated for one bedroom to a social room with a wet bar and by using the space intended for two bedrooms to make it one large bedroom.

The second floor plan was changed to contain four bedrooms rather than five. This change was made by converting space designated for one bedroom into a complete kitchen. Also the space designated as a kitchenette was modified to eliminate a stove and include space for a clothes washer and dryer.

Additionally, the second-floor change included a six-burner gas range in the kitchen, with a fire-suppression system, a fireplace modification, window seat, copper-lined planter, and the Murphy bed.

Those are the significant changes with respect to the original drawings.

Mr. **Gore**. Looking at the plans, both the original plans and the changed plans, it is difficult to escape the conclusion that the essential purpose of the change was to take a group-style living quarters for several people to come in and stay as students, and change that into a self-contained private living quarters. Is that your conclusion from looking at the changes?

Mr. **Luke**. You are correct in that the second-floor is, in fact, self-contained. The entry to the second floor has two entries, one on either side of the building. You cannot enter the second floor from the first floor.

As we indicated in our statement, depending on where in the organization you are with respect to questioning on intended use, you get a different response in terms of the intended use of that building. In part, based on that response, it would dictate what one would expect to be done with that building. At this point in time, we have not come to a final resolution or reconciliation as to specifically what the intended use of that building is.

Mr. **Gore**. Mr. Adams, you testified earlier that based upon what GAO has been told by FEMA officials that you have interviewed, you believe that the intended use of building G was as an official residence for the associate director?

Mr. **Adams**. Mr. Chairman, what I indicated in my earlier statement—and I would like to go back to that again—is our interview with Mr. Villella on that question. As Mr. Luke has indicated, we did conduct other interviews and did get different opinions. However, in our interviews with Mr. Villella, we did discuss use of the second floor as a residence for the director of the facility.

Mr. **Gore**. This was preceded by this series of requests and discussions about using it as an official residence?

Mr. **Adams**. Yes.

Mr. **Gore**. On the kitchen, just to pin one thing down, there are, of course, adequate cooking facility at NETC to provide food service for visitors and those staying at NETC without the use of this commercial stove up in the second floor residence of building G; is that correct?

Mr. **Luke**. That is correct. There is a dining hall facility at the center serving three meals a day. It is approximately, I would guess, a 3-minute to 5-minute walk from building G.

Mr. GORE. Just briefly, before turning to my colleagues, on the second matter, the automobiles. Mr. Villella was issued, had two cars out simultaneously; is that correct?

Mr. LUKE. For about a 7-month period, that is correct.

Mr. GORE. And at one point a Lincoln Continental and a Mercury Marquis; is that correct?

Mr. LUKE. The Lincoln Continental for a period of time was a replacement car for the Mercury Marquis, as a result of that car being in an accident.

Mr. GORE. Your investigation did not cover the chauffeur, is that correct?

Mr. LUKE. That is correct. It did not.

Mr. GORE. We will get into that later on. Let me recognize now Mr. Skeen.

Mr. SKEEN. Thank you very much, Mr. Chairman. Let's go back to the beginning. GAO has this information. I am sure you folks did an investigation out there. What are the local accommodations in Emmitsburg?

Mr. LUKE. Emmitsburg, Thurmont, and I guess Gettysburg, PA, is also relatively close to the area.

Mr. SKEEN. Give me some indication of what the local accommodations are, motelwise. Are there plenty of accommodations there?

Mr. LUKE. As the chairman indicated, our study generally focused on the issues addressed to us on March 24. We focused on two of those. We did not do any review at all with respect to the accommodations in the local environment.

Mr. SKEEN. Then you did do an investigation on why it is necessary to have accommodations at all for FEMA? Did you accept that as a basic premise?

Mr. LUKE. Would you repeat that, sir?

Mr. SKEEN. My question is this: Did you accept the basic premise that accommodations should be made available at this institution for FEMA officials of one kind or another?

Mr. LUKE. I don't think we accepted that as a premise. Again, that is still undetermined, and that decision has to be determined.

Mr. SKEEN. They have dormitories there, do they not?

Mr. LUKE. They do have dormitories for students; that is correct.

Mr. SKEEN. So then you accepted the fact that they needed dormitories?

Mr. LUKE. Absolutely.

Mr. SKEEN. What is the travel situation, insofar as Mr. Villella's job as an administrator was concerned? Can you give me some idea? Why was it even considered that he might need a residence at this institution? Can you give me any idea?

Mr. LUKE. Let me see if I can understand your question. The question is: Why is it even considered that he needed a residence at the center itself?

Mr. SKEEN. That is right.

Mr. LUKE. Based on what was indicated to us by Mr. Villella and reaffirmed by Mr. Giuffrida, the duty hours are such at the center that they need on-site representation.

Mr. SKEEN. So it is a natural assumption then that there should be some facility made available to administrative personnel of one kind or another?

Mr. **Luke**. That is correct.

Mr. **Skeen**. When the conversation about the residence and the need for the residence for Mr. Villella or any other administrative official came up, was it connected directly to building G?

Mr. **Luke**. Yes.

Mr. **Skeen**. Each time? This was the only consideration for any place for a residence?

Mr. **Luke**. Let me qualify that. Based on our interview with Mr. Villella, building G was indicated as a potential candidate for a residence. In our conversation with Mr. Giuffrida on July 19, he indicated to us that as a permanent residence, he was thinking about a red brick barn that is located on the facility and of converting that facility into a residence.

Mr. **Skeen**. But building G was not always the primary consideration; it was one of convenience more than one of direction? Am I correct?

Mr. **Luke**. You are correct in that it was not always a primary consideration, particularly in the view of Mr. Giuffrida.

Mr. **Skeen**. So it was not a situation which, in your investigation, showed that there was always a direct linkage between any work that was done on building G and a residence facility for Mr. Villella?

Mr. **Luke**. That is correct.

Mr. **Skeen**. How old is building G?

Mr. **Luke**. 1948.

Mr. **Skeen**. In what condition was it when they started the renovation? Do you have any idea?

Mr. **Luke**. No; we do not, because we did not see very much of the building at all prior to the renovations.

Mr. **Skeen**. Would you just describe the basic bathroom facilities in building G as they were done by David Contractors, and then describe the basic differences between that and the so-called upgrade. I understand that these were verbally offered; they were not authorized in writing, is that correct?

Mr. **Adams**. The bathrooms that had been contained in building G before the renovation, of course, were the type of fixture that one would typically find in 1948.

Mr. **Skeen**. Give me an idea what "typical" is.

Mr. **Adams**. They were porcelain. The walls on the second floor had tile throughout the room, and the original renovation plan was to restore these bathrooms.

Mr. **Skeen**. What were they restored to? What I want to know is the difference in the type of quality after the restoration, not the 1948 type. I can understand those; they may have been way outside.

Start with the contractor's primary renovation, and then the additional upgrade. Give me some idea of the difference.

Mr. **Adams**. In the original renovation plan, the bathrooms on the first floor were to be about 6 inches smaller in each direction than in the final plan. As part of the changes in the renovation plan, the first-floor bathrooms were enlarged. On the second floor——

Mr. **Skeen**. But the standard facilities, there wasn't anything fancy?

Mr. ADAMS. The items on the first floor——

Mr. SKEEN. Fiberglass stalls?

Mr. ADAMS. Fiberglass stalls. The same type of facilities.

Mr. SKEEN. Now, what do you have in the latest revision?

Mr. ADAMS. On the second floor, the original plan called for retaining two of the bathrooms that had been there and refinishing them.

Mr. SKEEN. As they were?

Mr. ADAMS. As they were. The revision of the plan called for removal of those bathrooms, with replacement with tile. And in addition, it called for custom vanities to be added in several of the bathrooms.

Mr. SKEEN. What is a custom vanity?

Mr. ADAMS. A custom vanity in this particular case is a vanity that was larger than what one would typically find from a commercial source according to the contract.

Mr. SKEEN. Any special different material?

Mr. ADAMS. Materials, we did not find any difference.

Mr. SKEEN. It was not a gourmet bathroom then?

Mr. ADAMS. We did show a picture, Mr. Skeen.

Mr. SKEEN. There has been a lot made of this thing, and I want to get it all out here; $2,800 difference. They tore out one, I understand, that had just been finished.

Mr. ADAMS. As our statement points out, the changes to the bathrooms increased the cost about $35,000.

Mr. SKEEN. Just the bathroom? That is very interesting. It must be a gourmet bathroom.

Mr. ADAMS. There were increases in the bathroom, increases in the size of the bathrooms and the stalls. They replaced tile, installed raised custom vanities, replaced the shower stalls of course, and then there were associated changes in lighting and electrical work.

Mr. SKEEN. Give me some idea of what the cost of the Murphy bed was? I am not being picayunish about this, but I cannot understand all this lavish renovation over there and we wind up with a Murphy bed.

Mr. ADAMS. The change order for the Murphy bed identified that item as totaling $4,200. We do understand the cost of the bed itself is perhaps about half of that, and in addition there is installation that was involved. That particular change order, we understand, also had some electrical changes in it as well.

Mr. SKEEN. Now let's talk about the gourmet stove. How many people have they fed there? What is the normal course of operation? Mr. Luke, could you give me some idea?

Mr. LUKE. Is this with respect to building G?

Mr. SKEEN. The feeding facility at building G and why the necessity for having——

Mr. LUKE. Building G is not open at this point in time.

Mr. SKEEN. Oh, it is not?

Mr. LUKE. No.

Mr. SKEEN. It has never been used, then? The new facility has never been used?

Mr. LUKE. Subsequent to the renovation work, no.

Mr. SKEEN. What is holding things up?

Mr. Luke. It looks like right now they still need to do some carpeting and order furnishings.

Mr. Skeen. How long has this been in process?

Mr. Adams. The furnishings for the first floor, we understand, have been ordered, although at our last visit, which was last week, Mr. Skeen, they had not arrived or at least been installed. On the second floor, we understand that nothing has been ordered or delivered.

Mr. Skeen. When did you take the slides?

Mr. Adams. These were taken last week, sir.

Mr. Luke. Last Tuesday I think it was.

Mr. Gore. Would my colleague yield briefly?

Mr. Skeen. Certainly.

Mr. Gore. As I understand it, and you correct me if I am wrong, there is no direct access from the first floor to the second floor; is that correct?

Mr. Luke. That is correct.

Mr. Gore. The second floor is self-contained?

Mr. Luke. That is correct.

Mr. Gore. There is another large kitchen facility and eating facility for the people who are at the training center; is that correct?

Mr. Luke. That is correct.

Mr. Gore. So at least one conclusion you could reach is that the cooking facility on the second floor there was intended for the people living in that self-contained unit on the second floor?

Mr. Luke. That is correct.

Mr. Gore. I thank my colleague for yielding.

Mr. Skeen. I thank the chairman.

How many bedroom facilities are there on the second floor?

Mr. Luke. Bedrooms? There are now four.

Mr. Skeen. And how many down below?

Mr. Luke. Eight.

Mr. Skeen. Twelve altogether.

Let me ask you on the automobile situation, what were the circumstances? I understand there was a car provided because of an accident to another one and so forth. I know we talked about a Lincoln Continental, but the provider, the contractor, the concessionaire or whomever did not charge any extra for the Continental. It was a replacement for what? A Mercury?

Mr. Luke. A Mercury. Roughly around October 1983, the Mercury was in an accident. The lessor replaced that Mercury, as a replacement automobile, at no cost while the Mercury was being repaired.

Mr. Skeen. Is that quality or class of automobile considered unusual for officials in this particular category?

Mr. Luke. The Mercury?

Mr. Skeen. Yes.

Mr. Luke. No, we do not think so. They have to get special justification for that Mercury from the General Services Administration, which was approved and provided.

Mr. Skeen. Is this known as a class III automobile or something like that?

Mr. Luke. Yes.

Mr. Skeen. But it has to be authorized by the administrator?

Mr. **Luke**. Yes.

Mr. **Skeen**. Thank you, Mr. Chairman. That is all I have at this time.

Mr. **Gore**. Mr. Durbin.

Mr. **Durbin**. No questions.

Mr. **Gore**. The gentlelady from Rhode Island.

Mrs. **Schneider**. I wonder if you could tell me, please, the original cost estimates were in the ballpark of $170,000 for renovations to the residence, and those escalated to $366,936. Do you have any documentation or correspondence along the way indicating this increase in expenses?

Mr. **Luke**. There were several modification changes in the contract file as a matter of fact, five. If you were to look at those contract modifications, they in fact did delineate the specific costs associated with the changes and the work to be done.

Mrs. **Schneider**. But the figure of $170,000 had been approved by the GSA?

Mr. **Luke**. No, by Mr. Villella with respect to the building.

Mrs. **Schneider**. Had he gotten a certain cap on the amount of money he was permitted to spend?

Mr. **Luke**. In the original plan, it was allocated or reserved $200,000 for the renovation work.

Mrs. **Schneider**. In your investigations, can you share with us a little bit of the correspondence along the way that moved beyond that cap of $200,000 to the $366,000?

Mr. **Adams**. Yes; 1 month after the contract was signed, the first change order was actually drawn up. It increased the cost of the contract, and subsequently four additional change orders were also prepared. These, of course, totaled the amount of the increase, about 85 percent of the original contract price.

Mrs. **Schneider**. And there was no Government official along the way that said, "Wait a minute. You are exceeding the budget limitations here"?

Mr. **Adams**. There were concerns expressed about the amounts of the increase. Originally, the increases would have been beyond what we finally have before us.

Mrs. **Schneider**. Who expressed those concerns?

Mr. **Adams**. Mr. Villella expressed concerns about the amount of the increase.

Mrs. **Schneider**. Was there any superior of Mr. Villella's that was aware of these increases?

Mr. **Luke**. I don't think so. I think the way the procurement practices work is that Mr. Villella, as the associate director at the center, is the approving authority with respect to spending. I also understand that there is a procurement review board at the FEMA level which reviews contracts and modifications and makes final decisions on those.

Mrs. **Schneider**. We have been told that the modifications that were made were considered to be preparation for the other government officials. I am curious to know to what degree Mrs. Villella played a role in the consultation of the decorating and the modifications that were being made.

Mr. **Adams**. According to our review, we found that Mrs. Villella visited the site in September. Mr. Villella agreed that that did occur. And he shared with her the renovation plans to change the facility and pointed out that she had expertise in the area of construction and sought her advice, as he explained it, in a professional way to try to identify what changes should be made and whether or not the modifications were reasonable and proper.

In addition, we understand she was consulted at later points of time as to what should be included in the building.

Mrs. **Schneider**. Am I to understand that your investigation did not include the use of Government personnel?

Mr. **Luke**. That is correct.

Mrs. **Schneider**. What about some of the other allegations about the additional misuse of Government funds?

Mr. **Luke**. No.

Mrs. **Schneider**. And the bill for Mr. Villella's housing at the training center?

Mr. **Luke**. No.

Mrs. **Schneider**. It did not include that. OK. I have no further questions.

Mr. **Gore**. We are going to get into those matters with the next panel.

The gentleman from Kansas, the ranking minority member of the full committee, Mr. Winn.

Mr. **Winn**. Thank you very much, Mr. Chairman. I just wonder, Mr. Luke and Mr. Adams, if you can tell the committee what are new commercial construction costs in the Washington area?

Mr. **Luke**. I don't think we have the information to make that judgment, sir. It is beyond my area of expertise with respect to building.

Mr. **Winn**. I am trying to figure out then why there seems to be the opinion that these costs are prohibitive. Some of them sound like it; there is no doubt about it. I was a contractor for 22 years before I came to Congress. How can you judge, then, or how can your shop judge whether these costs are prohibitive or over the average if you don't know what the costs in the District are?

Mr. **Luke**. To do that, we would have to do more work. But with respect to the work that we did, we basically presented what renovation work was done and the cost of that renovation work. We ourselves have not taken a position with respect to whether that was enough or whether that was too much. The question becomes, in relation to what was done, in relation to the intended use of the building, are they too much? That is a function, in part, again, of how they intended to use that building.

Mr. **Winn**. Yes, I think you make a good point there. The other point though, I think that anybody who is close to the construction business would have to realize or knows that remodeling or rehabilitation runs prohibitively high. Washington, DC, is one of the highest in the Nation, probably the world.

Mr. **Luke**. I would yield to your expertise, sir. As I indicated——

Mr. **Winn**. This is backed by statistics from AGC and the homebuilders and all those organizations that contact the members of this committee from time to time.

Mr. **Skeen**. Will the gentleman yield?

Mr. **Winn**. I will be glad to yield.

Mr. **Skeen**. I thank the gentleman for yielding.

If I might ask, Mr. Luke or Mr. Adams, somewhere in the conversation about this matter, I get the impression that the original intent was to raze the building.

Mr. **Adams**. There originally had been a plan drawn up for the entire facility that included the possibility of demolishing the building, although there were other plans as well included in that document.

Mr. **Skeen**. But it was considered?

Mr. **Adams**. The majority of the document was devoted to a plan to enhance the building to a great degree.

Mr. **Skeen**. If the gentleman will yield further, was there any cost analysis done on what the cost of razing the building would be, tearing it down?

Mr. **Adams**. My recollection is that the cost was under $50,000 to knock that building down.

Mr. **Skeen**. I thank the gentleman for yielding.

Mr. **Winn**. It seems to me from your testimony that the question really is whether there was really an intent for this to be a residence for Mr. Villella and his wife or for whomever might stay there, whether it be during these conventions or anything else. It is my understanding, too, that it sleeps 20 or 25 people. There could be some types of meetings that would be considered dealing with our national security, that could be or have been held out there; and if that is true, is it not possible, in your opinion, that a separate oven—whether it be $5,000 or $11,000; I don't know anything about ovens—could be necessary?

Mr. **Luke**. It is a possibility that the building could be used for those purposes.

Mr. **Winn**. Is it your understanding that a former President of the United States has stayed out there?

Mr. **Luke**. Mr. Ford did visit.

Mr. **Gore**. Will the gentleman yield?

Mr. **Winn**. Sure.

Mr. **Gore**. He did not stay there. He visited there and made a speech and left. If my colleague will continue to yield, is it not the fact of the matter that the justification for the contract was to provide a dormitory for 15 people, 15 dormitory rooms?

Mr. **Luke**. That is correct.

Mr. **Gore**. Then these changes were made to that original contract; right?

Mr. **Luke**. That is correct.

Mr. **Gore**. I thank my colleague for yielding.

Mr. **Winn**. Sure. I understand that, and I think that is the idea of the hearing today, to look into why these changes were made, who was going to live there, and what groups possibly might stay there.

I wonder if you would put into the record, somewhere during my questioning, what are considered the square footage construction costs in the Washington, DC, area. I am sure that you can secure that. Also, what would be a rehabilitation or remodeling construction cost for the Washington, DC, area? Thank you, Mr. Chairman.

Mr. **Luke**. We will do so.

[Material to be supplied follows:]

The following table provides examples of average building costs for new construction and reflects early 1984 prices. These building costs are based on national averages adjusted to the cost of construction in the Washington, D.C. area:

AVERAGE BUILDING COSTS

BUILDING TYPES	SIZE (square feet)	COSTS (per square foot)
Apartments-Low Rise	40,000 to 150,000	$24.09 to $40.53
Community Centers	15,000 to 20,000	39.48 to 52.64
Dining Restaurants	3,000 to 10,000	53.58 to 81.78
Dormitories	10,000 to 25,000	42.50 to 60.55
Education Service Centers	10,000 to 30,000	35.19 to 53.22
Hotels	50,000 to 80,000	40.60 to 57.96
Office Buildings	(None Cited)	42.34 to 73.32
University Classrooms	10,000 to 80,000	65.32 to 85.96

SOURCE: Dodge Construction Systems Costs
1984, McGraw-Hill Cost Information
Systems Company, Princeton, New Jersey

According to several industry experts, the costs for rehabilitation or remodeling construction vary, and average remodeling costs for the classes of construction described above are not available for the Washington, D.C. area. They said remodeling or reconstruction costs should be specifically related to the scope of the actual project under consideration. Among the factors that could impact on the costs for this type of construction would be (1) the age and quality of the original construction work, (2) the quality and extent of the reconstruction or remodeling work, (3) the necessity for structural, mechanical or electrical work, (4) special or custom design considerations and (5) related sitework.

Mr. **Gore**. Mr. Reid.

Mr. **Reid**. Thank you, Mr. Chairman.

Mr. Adams and Mr. Luke, when Mr. Villella was first interviewed about his personal use of the NETC-issued car, did he provide any information about the chauffeur?

Mr. **Luke**. No, he did not.

Mr. **Reid**. None whatsoever?

Mr. **Luke**. No.

Mr. **Reid**. Did he tell you that the contract security guard was assigned to him as a chauffeur for about 2 years?

Mr. **Luke**. No, he did not.

Mr. **Reid**. And that the chauffeur was picking him up at his home and driving him to work on a regular basis?

Mr. **Luke**. No.

Mr. **Reid**. Did he explain why no logs were kept on the vehicle?

Mr. **Luke**. No.

Mr. **Reid**. Could either of you respond: Does Mr. Villella's use of the Government car violate any regulation or law; and if so, what are the prescribed penalties? Ms. Armen?

Ms. **Armen**. Yes, the use of a Government car for transportation between one's domicile and one's place of employment violates section 1344 of title 31, which is a prohibition that applies to all Government vehicles, across the board.

In addition, FEMA's Appropriation Act contains a separate prohibition on home-to-work transportation. It is contained in section 406 of their act. It has been in the Housing and Urban Development and Independent Agencies Appropriation Act since 1978 and continuously in the same language. It prohibits domicile-to-place-of-employment transportation.

The penalty for violating title 31, section 1344, which is identical, for the most part, with the FEMA appropriation restriction, willful misuse of a Government vehicle for other than official business is a cause for disciplinary action, suspension for 1 month, or possible removal from employment.

Mr. **Reid**. And that is any one of those penalties?

Ms. **Armen**. That is correct.

Mr. **Winn**. Will the gentleman yield?

Mr. **Reid**. In just 1 second, Mr. Winn. I have one more question. In your opinion, did Mr. Villella violate that statute?

Ms. **Armen**. We found several instances, many instances, in which Mr. Villella used Government cars for home-to-work transportation in violation of the prohibition.

Mr. **Reid**. So your answer would be yes.

Ms. **Armen**. Yes.

Mr. **Luke**. I would also add with respect to personal use as well.

Mr. **Reid**. Thank you, Mr. Luke.

Mr. Winn, I would yield to you at this time.

Mr. **Winn**. Thank you very much. I just wanted to ask a further question along the line of the rules and regulations of Government cars. You expressed your opinion on the regulations dealing with Government automobiles. Are there any rules or regulations providing the use of private cars, where they are using Government employees as chauffeurs?

Ms. **Armen**. There is a provision in title 5 of the United States Code. I believe it is section 3101, of title 5 that provides that employees may only be used to perform functions that are related to the official purposes for which the appropriation from which they are paid is available.

Mr. **Winn**. Would one of those be taking a Government employee to and from work?

Ms. **Armen**. In your own car?

Mr. **Winn**. Picking them up in their own private car?

Ms. **Armen**. Yes, sir, I believe so.

Mr. **Winn**. I did not quite understand. That would cover that? That would be prohibited?

Ms. **Armen**. Using a Government employee to pick you up at your home and drive you to your place of employment in your own personal vehicle would, in all likelihood, violate that section 3101 of title 5.

Mr. **Winn**. Mr. Chairman, I would suggest then that you survey and inspect Members of Congress, particularly the House of Representatives, that are doing that at the present time. Thank you, Mr. Reid.

Mr. **Reid**. I have no more questions, Mr. Chairman.

Mr. **Gore**. Mr. McCandless.

Mr. **McCandless**. Thank you, Mr. Chairman. I hope you will indulge my questions here, because they are of interest to me, having done a lot of business with FEMA in my former life.

When was this facility originally purchased?

Mr. **Luke**. I think in 1979.

Mr. McCandless. And the purpose for the purchase of the facility, the justification at the time that it was approved, was what?

Mr. Luke. To provide training facilities for the National Fire Academy.

Mr. McCandless. And it was formerly what kind of a facility?

Mr. Luke. It was a former college, St. Joseph's College.

Mr. McCandless. And what happened to that college?

Mr. Luke. I understand, financially it went under. It sold out to the Federal Government.

Mr. McCandless. Could one assume that the buildings—or maybe you have direct knowledge of this—were substandard at the time the Federal Government purchased it, as far as maintenance?

Mr. Luke. We have no knowledge of that, in terms of the standards of the building or the facilities in general.

Mr. McCandless. We have established here that this is a training institute, in connection with FEMA's charge under the Government code. What type of student attends this facility? Are there various governmental levels? Give me a cross-section or a profile of the type of person that might attend?

Mr. Adams. Based on the information that we were provided, the majority of the attendees are State and local officials who were responsible for emergency management matters. In addition, there are specialized courses that are conducted at the training center that would include the staffs of various communities in order to receive instruction in emergency management matters.

And more recently, we were informed, there are also activities conducted for a wide variety of officials, including some foreign officials who may be involved in related matters.

Mr. McCandless. Give me your definition of what you would consider to be a State or local official? What kind of a title might that person have if we were to look at the upper levels of those students?

Mr. Luke. We were provided a partial listing of the students of the center. But with that listing, it was very difficult to decipher the level or the titles of any individuals attending the Institute at any point of time. So although we were provided a student roster, so to speak, that roster did not have complete information with respect to titles nor status. So to be definitive in responding to the question, in terms of the typical student, at what level is he or she, I do not think we are in a position to do that based on the data set that we have.

Mr. McCandless. Would we be talking about people in elective office, such as a Governor, a member of a Governor's cabinet, a cabinet official? Are we talking about mayors of cities and that type of thing?

Mr. Luke. With respect to the latter, yes, and I would not rule out the possibility with respect to the former as well. The question becomes the frequency of use with respect to those types of individuals. In other words, the question is, are they in fact the typical student?

Mr. McCandless. We are drawing a profile of the type of student, not the numerical values to be applied to each of these sections. So it is conceivable then that we could have a Governor for a short period of time?

Mr. LUKE. It is conceivable.

Mr. MCCANDLESS. And anyone down through local government, mayors, boards of supervisors, city managers——

Mr. LUKE. That is correct.

Mr. MCCANDLESS. That type, as opposed to the traditional academic student which previously resided there when it was a college. So one might assume that the facilities need certain renovations in order to accommodate what would be in the best interest of all parties during these kinds of activities, centering around the educational aspect of the institution?

Mr. LUKE. I would agree with that. I would not take objection to that.

Mr. MCCANDLESS. So if we had the mayor of three or four large cities who for some reason are coming in to avail themselves of the service of the institution, and the management-administration of the agency wishes to get involved with the situation on a more than academic basis, then some type of a facility where cooking would take place of more than an institutional nature would be a nonobjectionable type of situation, it would appear to me.

Mr. LUKE. And that has been a purported use of building. That is an area.

Mr. MCCANDLESS. I would like to move to the automobile and clarify what I believe to be the time line on this. The original car, a Mercury, was authorized for the use of the party in question. Whatever the situation is, the Mercury was rendered inserviceable by an accident and that a Lincoln loaner car replaced it at no cost to the Federal Government until such time as the Mercury was replaced or disposed of or whatever took place; is that correct?

Mr. LUKE. Let me just review it. The first car that was assigned to Mr. Villella was an Oldsmobile Cutlass, as early as July 1981. Subsequent to that, in April 1982, he received a Ford Granada.

Mr. MCCANDLESS. I do not want to take a lot of time. Let me ask it more directly. At any time during the history of the vehicle scenario, were two cars at the same time in operation charged to the same person?

Mr. LUKE. Yes.

Mr. MCCANDLESS. Where there was a double cost involved because there were two cars?

Mr. LUKE; Yes; during the period from November 1983 to June 1984, Mr. Villella was assigned two cars, one at the Emmitsburg center and one downtown.

Mr. MCCANDLESS. Both were operative?

Mr. LUKE. Both were operative, and I may add, the one downtown was also used for other FEMA officials in the conduct of their official duties.

Mr. MCCANDLESS. But it was assigned directly to him?

Mr. LUKE. That is correct.

Mr. MCCANDLESS. And it was his responsibility or his acceptance of that responsibility as the person being assigned that car?

Mr. LUKE. It was a motor pool automobile, but it was reserved for his use.

Mr. MCCANDLESS. But it could have been used for any other purpose?

Mr. LUKE. Absolutely.

Mr. McCandless. Downtown?

Mr. Luke. Right.

Mr. McCandless. Which is how far from the institution in question?

Mr. Luke. An hour and one-half or an hour and forty-five minutes. About 80 miles.

Mr. McCandless. Where did the party in question have a physical residence relative to these two locations?

Mr. Luke. Well, over this period of time in question, Mr. Villella lived in several locations. So it depends on the point in time.

Mr. McCandless. The last or current residence relative to the location of downtown and the institution.

Mr. Luke. The last residence is Arlington, VA. So in relation to FEMA, it is fairly close; in relation to the Institute, 80 miles or so.

Mr. McCandless. So we have an 80-mile round trip; is that what you are talking about?

Mr. Luke. That is one way.

Mr. McCandless. Which, in the traffic pattern of that area, would take about how long to get there if you omitted the peak traffic hours?

Mr. Luke. About an 1½ hours.

Mr. McCandless. So if I were going from my residence up there for purposes of the day and the activities of the evening, I could figure on 3 hours round-trip travel time as a part of that daily activity?

Mr. Luke. That is correct.

Mr. McCandless. Taking that same residence, how far is it then travel time to the office which is downtown?

Mr. Luke. Ten or fifteen minutes to Arlington, VA.

Mr. McCandless. So if I were to leave in the morning, check in at the office, then leave the office and go to the institution in question, I would have probably the better part of 3½ hours out of the work day in total travel; is that correct?

Mr. Luke. Yes, but I think it is also important to point out here that Mr. Villella's official duty station is, in fact, the center.

Mr. McCandless. In your investigation, did you do anything in the way of an outline of the activities of travel outside of Washington, DC, and what part that played in the total time involved? Were there a number of trips? You were checking where the automobile went. Were there a number of trips in any given period that were part of the official duties of the party in question which required going to the airport and being let off and that kind of thing?

Mr. Luke. In terms of out-of-town travel, we did not perform any data gathering or analysis along that line at all.

Mr. McCandless. You did an analysis of the use of the automobile. Was that not included in the analysis?

Mr. Luke. Not with respect to out-of-town travel. The extent of our analysis, in part, is based on what was reported by Mr. Villella's driver, in terms of where she had driven him over time. That included duty stops downtown Washington, DC, as well as some other places in the District of Columbia.

Mr. McCANDLESS. In your comments, you talked about the $170,000 original contract for 15 rooms. This was negotiated and approved within the structure of FEMA. With whose approval?

Mr. LUKE. Within the structure of FEMA, but more specifically at the center, and it was approved by Mr. Villella.

Mr. McCANDLESS. Then you or someone said that the increase of the contract was $160,000, and the terminology "to develop a private residence for the director" was the reason given for the additional $160,000 by the party who made this statement. Would you agree with that?

Mr. LUKE. No, I would not.

Mr. McCANDLESS. How would you analyze the expenditure of the $160,000 relative to what we call Building G.

Mr. ADAMS. During the course of our interviews, a variety of responses were provided by the FEMA officials in explanation for the increases in the contract. As we pointed out in our testimony statement, they included quarters for executive guests, and FEMA officials pointed out they felt that the original renovation plan did not contain sufficient items in there that would provide accommodations for them in the style to which FEMA wished to provide for them.

Mr. McCANDLESS. Let us pursue that a little bit. FEMA's answer to your question about why the $160,000 additional was what again?

Mr. ADAMS. It does relate very specifically to the individuals with whom we spoke. If you want, I could run you through the different explanations, depending on the individual.

Mr. McCANDLESS. Let me go at this another way. In taking notes here, I have $35,000 for bathroom renovation or rerenovation, or however you wish to term it. I have $11,000 for a kitchen stove, and I have $4,200 for a Murphy bed. Now we are up to $50,000 plus or minus, and we still have, say, $110,000 to go. Was that $110,000 used for structural changes in the original shell of the building, in addition to what the $170,000 did for the 15 rooms?

Mr. ADAMS. There were some structural changes that were made that were part of the increase in the cost. These structural changes, including plumbing changes, that we identified from the change orders totaled about $13,500.

Mr. McCANDLESS. Were there any other specific line items such as you have outlined here in the kitchen equipment, the bathroom, and the Murphy bed that might be easily accessible there to you?

Mr. ADAMS. Included in our testimony statement as appendix II on page 15, we do have a complete list of these changes.

Mr. McCANDLESS. I have it here.

Thank you, Mr. Chairman. I have no other questions.

Mr. GORE. Thank you very much.

Very briefly, I referred earlier to the memorandum to Director Giuffrida of October 19, 1981, from George Jett, the General Counsel. Without objection, I will put that memorandum in the record at this point and quote from the general counsel of FEMA. He says: "I do not believe that there is a shortage of private housing in the Emittsburg area."

[Material referred to follows:]

GC:TAinora:jj 10/19/81

cc:
Official File/NETC
Jett Chron
Ainora Chron
Admin Chron

MEMORANDUM TO: Louis O. Giuffrida
Director

FROM: George W. Jett
General Counsel

SUBJECT: Quarters for the Associate Director of Training and Education at the National Emergency Training Center (NETC)

At a recent meeting with Fred Villella at NETC, I was informed that you were considering a recommendation from Mr. Villella for the restoration of a resident apartment at the NETC to be used by the Associate Director of Training and Education. I would like to give you my legal comments on the feasibility of this recommendation.

As the Director of FEMA, you may provide an employee, directly or by contract, with quarters and facilities, when conditions of employment or availability of quarters warrant the action. (5 U.S.C. § 5911).

Quarters are often provided to forest rangers, light house operators and other similar employees because the nature of their jobs requires that they live where they work, and convenient private housing is not available near their jobs. Since I do not believe that there is a shortage of private housing in the Emmitsburg area, you will have to make a determination that Government-provided housing quarters are necessary to the performance of the Associate Director's job in order to justify Government-provided quarters to the Associate Director. You can only make this determination if quarters are directly related to performing the Associate Director's job in an efficient manner. If the availability of quarters is not related to performing the job in an efficient manner, Government-provided quarters are not warranted.

If you make the decision to provide quarters to the Associate Director, rent will have to be charged in accordance with 5 U.S.C. § 5911 and the guidance given by the Office of Management and Budget in their Circular A-45.

Mr. **Gore**. Could you give me some idea of the frequency with which high-ranking dignitaries visit this center? Is it quite common, Mr. Luke?

Mr. **Luke**. Mr. Chairman, we do not have any information on that question.

Mr. **Gore**. Our indication is that it is extremely rare. In addition, 15 to 20 minutes away, there is a Holiday Inn; is that correct?

Mr. **Luke**. Yes.

Mr. **McCandless**. Would the chairman yield? I have one other question.

Mr. **Gore**. Yes; I will, just briefly. We need to move on.

Mr. **McCandless**. Let me ask the panel, do we have anything here that has been considered by your organization, the General Accounting Office, in this scenario we have been talking about as illegal with respect to what has happened to building G to date? Have we violated, in your opinion, any codes to date relative to the actions of the individuals or the agency as a whole?

Mr. **Luke**. With respect to law or regulations, we have not seen anything that indicates that they violated law or regulations with respect to the activities associated with building G. It appears to be within their discretion to make those kinds of judgments, in terms of what is to be done and what they will pay for those items.

Mr. **McCandless**. And there was a line-item authorization in their budget to do these things.

Mr. **Luke**. On renovation work in general.

Mr. **McCandless**. If you disagree with them, it becomes a judgment call then on the part of one person versus another?

Mr. **Luke**. In part.

Mr. **McCandless**. Thank you, Mr. Chairman.

Mr. **Gore**. I would like to thank the witnesses on this first panel. If you could stay, is that agreeable with you?

Mr. **Luke**. Yes, Mr. Chairman.

Mr. **Gore**. We may have other questions, but thank you very much.

I would like to call now our second panel of witnesses, which include six people who received subpoenas that are being issued to the witnesses. I would like to call to the witness table Mr. Victor Buyny, Mr. Robert Kemp, Mr. Martin Lively, Mr. Duane Murray, Sergeant Connie Peresada, and Mr. Merle Shriner: Would you come to the witness table, please?

Let me note, first of all, that a copy of the rules is present on the table.

Let me ask you if any of you desire to be represented by counsel?

[No response.]

Mr. **Gore**. Do any of you have an objection to being sworn?

[No response.]

Mr. **Gore**. Then will you stand and raise your right hand.

[The witnesses were sworn en bloc.]

Mr. **Gore**. Now, starting from my left, identify yourselves with your name and title. Mr. Lively?

Mr. **Lively**. My name is Martin Lively. I am the Chief of Academic Support and Operations Division at the National Emergency Training Center.

Mr. BUYNY. My name is Victor Buyny. I am the Chief of the Procurement Branch at the National Emergency Training Center.

Mr. KEMP. Robert Kemp, Assistant Facility Manager.

Mr. MURRAY. I am Duane Murray, the Assistant Associate Director for Management Administration at the NETC.

Sergeant PERESADA. I am Connie Peresada. I am sergeant on the security force under a Wells Fargo contract, and I also have the position of housing officer for the campus.

Mr. SHRINER. Merle Shriner, president, David Contractors.

TESTIMONY OF VICTOR BUYNY, CHIEF, PROCUREMENT BRANCH, NATIONAL EMERGENCY TRAINING CENTER, EMMITSBURG, MD; ROBERT KEMP, ASSISTANT FACILITY MANAGER, NETC; MARTIN LIVELY, CHIEF, ACADEMIC SUPPORT AND OPERATIONS DIVISION, NETC; DUANE MURRAY, ASSISTANT ASSOCIATE DIRECTOR FOR MANAGEMENT ADMINISTRATION, NETC; CONNIE PERESADA, SERGEANT AND SECURITY OFFICER, WELLS FARGO SECURITY, AT NETC; AND MERLE SHRINER, PRESIDENT, DAVID CONTRACTORS

Mr. GORE. Do any of you have prepared statements? It is my understanding that you do not, but I wish to offer you any opportunity to make any opening statement if you care to.

[No response.]

Mr. GORE. Fine. Let us go right into questions then; I am going to keep track of the time so that we all have a right to an equal amount of time. The Chair is going to recognize himself first, and we will have several rounds of questions if that is necessary to complete the work here.

Let me begin with you, Sergeant Peresada. In July 1981, you were employed as a security guard by Allied Security under contract to the National Emergency Training Center; is that correct?

Sergeant PERESADA. That is correct.

Mr. GORE. What was your assignment at the National Emergency Training Center?

Sergeant PERESADA. I was hired as a security guard, under Allied Security's contract. My position or title in the director's office under Mr. Villella was administrative aide.

Mr. GORE. What does that mean? What did you do?

Sergeant PERESADA. I had many varied duties. I had duties that I had to perform under Allied Security's contract as a security guard, and then I had duties to perform for the director, and a few times for other staff members.

Mr. GORE. But most of the time, you worked directly for Mr. Villella?

Sergeant PERESADA. Yes. I chauffeured Mr. Villella. I did typing in the offices. I ran errands.

Mr. GORE. Were you required to run personal errands for Mr. Villella on Government time?

Sergeant PERESADA. I was asked to run personal errands; I was not required under my contract.

Mr. GORE. And did you?

Sergeant PERESADA. Yes, sir.

Mr. GORE. In a Government vehicle?

Sergeant Peresada. Yes, sir.

Mr. Gore. What kinds of errands?

Sergeant Peresada. An example, I would go to the bank for him, on occasion to the drugstore for prescriptions, stop and pick up things at residences, paperwork that was forgotten or things like that.

Mr. Gore. To the bank, was that for personal checks or for something else?

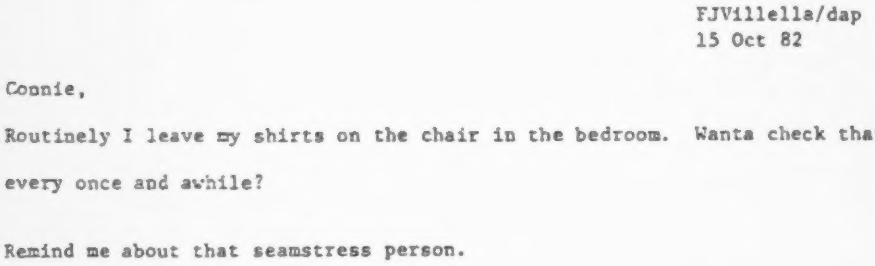
Sergeant Peresada. It was to cash personal checks.

Mr. Gore. What about laundry?

Sergeant Peresada. Yes, that was one of the duties.

Mr. Gore. Let me provide a memorandum for the record here. This is in the briefing memo for the members. It is a memorandum noted F.J. Villella, October 15, 1982, and it says: "Connie, routinely I leave my shirts on the chair in the bedroom. Wanta check that every once and awhile?" Was that a memo from Mr. Villella to you?

[The document referred to follows:]



FJVillella/dap
15 Oct 82

Connie,

Routinely I leave my shirts on the chair in the bedroom. Wanta check that every once and awhile?

Remind me about that seamstress person.

Sergeant Peresada. Yes, sir.

Mr. Gore. So one of your duties was to check the chair in the bedroom for dirty shirts and pick them up?

Sergeant Peresada. Yes, sir.

Mr. Gore. Which bedroom was that, incidentally? Was that in one of the apartments?

Sergeant Peresada. It was the dorm designated for the Director; A Building we call it.

Mr. Gore. It did not come out in the earlier questioning because GAO did not look into it, but for a good while Mr. Villella did live in one of the dormitory rooms there, and we will get into that a little bit more.

Earlier, I asked you if you were required to do these things. Obviously, the contract did not require that; it was outside the scope of what you were supposed to be doing. But you were asked to do that by Mr. Villella.

Did you ever question him about the propriety of picking up his laundry and cashing his personal checks, and the doctor and dentist and drugstore, and all these things?

Sergeant Peresada. I remember clearly questioning him about my running to the Eddy's cleaners. I thought that was unnecessary, when they had a van that could come to the campus. So I did a memo, and I shared it with other members of the staff there in the office, and I showed that it would be what they call "cost effective"—I hear that term a lot there. So I decided I did not wish to continue doing that errand especially because it was a waste of my time and a waste of Government money. I was using the car assigned to Mr. Villella.

Mr. GORE. Could you make available a copy of that memo? Do you still have a copy of that memo?

Sergeant PERESADA. I will look. I did keep copies of practically everything.

Mr. GORE. If you still have that, we would like to see that. Would that be all right?

Sergeant PERESADA. Yes, fine.

Mr. GORE. Did you ever speak to him personally about the propriety of your running personal errands for him so frequently on Government time?

Sergeant PERESADA. Yes, sir.

Mr. GORE. And what was his response?

Sergeant PERESADA. He would kind of jokingly ignore it and say, "Don't worry about it." I would say to him, "People watch you so closely, and they're watching me," because there was a lot of resentment. I was acting outside of my contract, and there was a lot of resentment and a lot of ridicule. I did approach him several times about it, about my concern about it.

Mr. GORE. Did you ever have occasion, after Mr. Villella moved from the dormitory to private housing, to drive some of the housekeepers under contract to the Government out to his house to do cleaning out there?

Sergeant PERESADA. Yes, sir.

Mr. GORE. Let me add for the record that I think later questions and responses will show that those individuals were paid separately for the work that they did by Mr. Villella.

But as far as your role was concerned, you were paid overtime by the Government for that function as well; correct?

Sergeant PERESADA. I signed in on the book for Allied Security, and when I got back I signed out. I was on Allied Security's time, yes.

Mr. GORE. Were you asked to drive for Mr. Villella's wife?

Sergeant PERESADA. Yes, sir.

Mr. GORE. Where to?

Sergeant PERESADA. The first instance I recall is to Gettysburg, PA, to a department store.

Mr. GORE. Were you asked to take her shopping for clothes?

Sergeant PERESADA. Yes, sir.

Mr. GORE. On more than one occasion?

Sergeant PERESADA. For clothing, just the one occasion.

Mr. GORE. House hunting?

Sergeant PERESADA. Yes, sir.

Mr. GORE. More than one occasion?

Sergeant PERESADA. I cannot recall how many; I know it was more than one, yes.

Mr. GORE. Several entries in your log show that you worked on Mr. Villella's personal tax returns. What did that involve?

Sergeant PERESADA. Mr. Villella had a drawer in the office desk there at the academy, which he set aside where he would place receipts. He asked me if I could set up some kind of tracking system, filing system, and get these receipts in order so that when they would be taken to an accountant, I am sure it would save the accountant work and Mr. Villella would have an idea, I am sure, of what was going to happen at the accountant's, as far as taxes and things like that.

Mr. GORE. How did you feel about being asked to do all of these things?

Sergeant PERESADA. I felt at first privileged for opportunities to learn. I came with no experience at all, no office experience or anything, so I was indeed learning on the job. I appreciated a lot of the experiences.

After a while, I realized my limitations and I became a little frustrated at times because I would sit down and come up with some kind of a format to make things look organized, and it was not exactly what he had in mind.

He is a more intellectual person, and I think he could have done a better job, so I did become frustrated. I know at times I tried to get out of the duties.

Mr. GORE. Did you have the feeling that it was just not right for you?

Sergeant PERESADA. Yes, sir.

Mr. GORE. It just didn't feel right?

Sergeant PERESADA. No, it didn't feel right.

Mr. GORE. Were there any other problems that you experienced during this time?

Sergeant PERESADA. Yes, sir. I would like to have some action performed by Mr. Villella and some comments made clear to me, if it is appropriate to do that.

For instance, there were constant personal remarks made to me, suggestive remarks made to me, while I was in assignment under him. There were instances of physical contact, and I would like it to be made clear to me why. I would like to pursue it. I am going to need your guidance.

Mr. GORE. Well, you are a brave person to say that. That's a difficult matter to discuss for you, I am confident, and it is a difficult matter for us to pursue while being fair to everyone involved. I will assure you that it will be pursued. I admire your courage in speaking up. A lot of times people just do not. We want to be eminently fair to Mr. Villella and to everyone else involved in this hearing. At the same time, we do not want to be in the slightest in the position of hearing a comment such as the one you have just made and, for reasons of embarrassment or over-sensitivity, not recognize what a serious matter that is.

I want to assure you, personally and on behalf of this subcommittee, that that will be pursued. I want to thank you for your courage in being willing to speak up and say that.

Now, were you ever asked to drive any other employees?

Sergeant PERESADA. Yes, sir.

Mr. GORE. What other employees were you asked to drive on personal errands?

Sergeant PERESADA. Paula Smith. You have to forgive me. I am trying to recall.

Mr. GORE. Were you ever asked to drive Mr. Payne on a personal errand?

Sergeant **Peresada**. On one occasion I remember.

Mr. **Gore**. To the barber shop?

Sergeant **Peresada**. Yes, sir.

Mr. **Gore**. What about Mr. Giuffrida?

Sergeant **Peresada**. I was asked. I declined.

Mr. **Gore**. Where were you asked to drive him?

Sergeant **Peresada**. I was asked to drive him to the dentist at Fort Ritchey.

Mr. **Gore**. We may have some other questions for you a little later, Sergeant Peresada. Again, I want to thank you for going through this, which I know is very difficult for you. You have a lot of courage.

I have questions for each of the other witnesses, but because of the fact that I have run over my time, I am going to have to come back on the next round and explore these other matters. There are a whole variety of problems and allegations that we still have to explore.

I want to recognize Mr. Reid.

Mr. **Reid**. I have no questions at this time.

Mr. **Gore**. The gentlewoman from Rhode Island?

Mrs. **Schneider**. Sergeant, had you ever been paid for your overtime, and did you keep a log of the overtime that you did provide, insofar as either official or personal services?

Sergeant **Peresada**. I was paid in every instance that I worked overtime. I was instructed by my supervisor there at the site, under Allied Security, Lieutenant Shorb, to always sign in and sign out. Those records are on file.

Mrs. **Schneider**. I believe I have no further questioning. Thank you, Mr. Chairman.

Mr. **Gore**. Mr. Winn?

Mr. **Winn**. Thank you, Mr. Chairman. Sergeant, you said that you had no background in any of these various assignments that you were asked to do. I gather that you had a driver's license.

Sergeant **Peresada**. Yes, sir.

Mr. **Winn**. Did you have a chauffeur's driver's license?

Sergeant **Peresada**. No, sir.

Mr. **Winn**. Was there ever any suggestion that you ought to get one or might get one?

Sergeant **Peresada**. No, sir.

Mr. **Winn**. You do not have any kind of background in being a C.P.A., a bookkeeper, or anything like that?

Sergeant **Peresada**. None whatsoever.

Mrs. **Schneider**. Will the gentleman yield on that point?

Mr. **Winn**. Sure.

Mrs. **Schneider**. I think that Sergeant Peresada made it pretty clear that she was not really asked—correct me, if I'm wrong—to act in the capacity of a C.P.A. You were just asked to carry out a chore, which was to merely organize some of the receipts; is that right?

Sergeant **Peresada**. That is correct.

Mrs. **Schneider**. So it really wouldn't require the technical skill of a tax accountant. You were just asked to organize?

Sergeant **Peresada**. That is correct.

Mrs. **Schneider**. Thank you.

Mr. **Winn**. Who hired you? Did Mr. Villella hire you?

Sergeant **Peresada**. No, sir.

Mr. **Winn**. The Allied Security people hired you?

Sergeant **Peresada**. Yes, sir.

Mr. **Winn**. Was this a specific request by Mr. Villella? I do not understand how your relationship started with him.

Sergeant **Peresada**. After I had had an application in to the security there at the campus, it was after 1½ years of waiting for a position to come open, I was called by the supervisor, Lieutenant Capt. Shorb, and he asked if I would be interested in an office position since they had no patrol guard position, and at least I would have a job with the security company. I said, "Of course." So I came in for the interview. That was my first opportunity to get a glance or accidentally meet Mr. Villella. I was going in the door for the interview, and Mr. Villella stopped. At the time I did not know who he was. He stopped and made some comment to whomever he was with.

At the present time, there was another sergeant from Allied Security who had the position in Mr. Villella's office, Sergeant Bonnie Hess. And Lieutenant Shorb informed me that she was unhappy in that office. He did not go into detail.

Mr. **Winn**. But you did not know Mr. Villella prior to the time that you walked into the office to get the office job instead of a security job?

Sergeant **Peresada**. That is correct. Mr. Villella commented later to me during my assignment under him that when he saw me going in for the interview, the thought ran across his mind, "How do I get rid of the girl that I have in the position," meaning Bonnie Hess.

Mr. **Winn**. I understand. I think you just told us that she was unhappy already. Obviously, if they were interviewing you, there was going to be a change made.

Sergeant **Peresada**. I was simply asked to come in to be interviewed for an office position.

Mr. **Winn**. Oh, I see, not necessarily the job that she held?

Sergeant **Peresada**. The job was new, and they were not sure exactly what that job required. The requirements came as time passed. More and more responsibility. The position had been created. So it was just beginning when I came on board.

Mr. **Winn**. Did Mr. Villella have a secretary?

Sergeant **Peresada**. Yes, sir.

Mr. **Winn**. A full-time secretary?

Sergeant **Peresada**. Yes, sir.

Mr. **Winn**. A woman?

Sergeant **Persesada**. Yes, sir.

Mr. **Winn**. But she was not asked, to your knowledge, to help him with his bookkeeping and things like that?

Sergeant **Peresada**. Not to my knowledge, sir.

Mr. **Winn**. Did you ever talk to his secretary about the requests that he made of you compared to some of the ones that he might have made of her, like getting the dirty shirts and things like that?

Sergeant **Peresada**. Yes, I did talk to the secretary about requests Mr. Villella made to me.

Mr. WINN. What was the gist of that conversation, what she had to say about these requests?

Sergeant PERESADA. I think the overall feeling in the office was that my being there was not justified. There were certainly more qualified people to do what I was doing. That was the feeling from the other employees in the office.

Mr. WINN. Did you know the secretary before? Were you acquainted with the secretary before you went in the office?

Sergeant PERESADA. No, sir.

Mr. WINN. Do you have any reason to believe that the reason you were hired through Allied Security for an office job was a request by Mr. Villella of any of your superiors with Allied?

Sergeant PERESADA. I don't know if there was ever any conversation between Lt. Capt. Gary Shorb and Mr. Villella or not.

Mr. GORE. Would the gentleman yield?

Mr. WINN. Yes.

Mr. GORE. It is my understanding of this that you were paid to be a security guard; is that correct?

Sergeant PERESADA. Yes, sir.

Mr. GORE. And your first day on the job when you walked in, you ran into Mr. Villella, and he then requested that you work personally with him; is that correct, or have I got that wrong?

Sergeant PERESADA. I am sorry.

Mr. GORE. You were hired and worked as, and you were paid to be a security guard?

Sergeant PERESADA. Yes, sir.

Mr. GORE. The first day you went to the job, you ran into Mr. Villella into the hallway; is that correct?

Sergeant PERESADA. The day of my interview. I had not been hired yet. He was outside the door leading into the office.

Mr. GORE. Oh, I see, but you continued to be paid as a security guard for the whole time?

Sergeant PERESADA. During my assignment under Mr. Villella, I was paid as a security guard.

Mr. GORE. Thank you. I thank my colleague for yielding.

Mr. WINN: As a security guard, obviously that is a subcontract to Allied?

Sergeant PERESADA. Yes, sir.

Mr. WINN. But those funds are paid for by the Government?

Sergeant PERESADA. The Government paid Allied, yes, sir.

Mr. WINN. Who negotiates that contract?

Sergeant PERESADA. On the campus where I worked, sir?

Mr. WINN. Yes.

Sergeant PERESADA. The procurement department. Mr. Buyny might be able to tell you more about that.

Mr. WINN. All right. We will ask him later. I am trying to figure out if Mr. Villella had anything to do with your hiring, directly or indirectly, with your salary, with the approval of your overtime which was paid by the Federal Government. If he approved that overtime, I am trying to figure out how many people were involved in this action, which may involve several people it looks like to me, not just Mr. Villella. I am not trying to scare you——

Sergeant PERESADA. I am not familiar with these details.

Mr. **Winn** [continuing]. But you were collecting overtime for doing errands, as I understand it.

Sergeant **Peresada**. Yes, sir.

Mr. **Winn**. How long did that go on?

Sergeant **Peresada**. I began my assignment under Mr. Villella in July 1981. I left that assignment in N building in January 1983 to take my present assignment in the Housing Department on campus.

Mr. **Winn**. So this went on for about 2 years.

Sergeant **Peresada**. That is correct.

Mr. **Winn**. Of possibly your illegally collecting overtime money for personal errands.

Mr. **Gore**. If I may clarify that at this point. She was not illegally collecting it. I know my colleague did not mean it that way. The billings were outside the scope of the contract and the work that she was supposed to be providing. She followed orders.

Was this your first job?

Sergeant **Peresada**. With the Government, yes, sir, with any contractor.

Mr. **Gore**. She was doing what she was told for a period of 2 years; I think the point is the same. I just wanted to restate it in a way that doesn't imply that she was doing anything wrong. My goodness, I know my colleague didn't intend that, but I didn't want her to take it that way.

Mr. **Winn**. No, I did not intend it. I am trying to find out how many people, Mr. Chairman, were involved—and possibly the sergeant is involved, by doing personal errands for Mr. Villella, in a Government car, on a contract to a subcontractor, Allied Security, and someone is taking her time card, which she said that she would punch when she checked out and when she came in. Am I wrong on that?

Sergeant **Peresada**. It is simply a sign-in log and sign-out log, which we mail back to the security company.

Mr. **Winn**. And that is the way they keep track of how much time you have spent?

Sergeant **Peresada**. Yes, sir.

Mr. **Winn**. Then who takes that?

Sergeant **Peresada**. The original is mailed to the present company that I work for, Wells Fargo. The time sheets are mailed to Wells Fargo.

Mr. **Winn**. So she takes your word for it, since she is not there?

Sergeant **Peresada**. Yes, sir.

Mr. **Winn**. Has anybody in your office or locally approved of your time?

Sergeant **Peresada**. Our site supervisor——

Mr. **Winn**. Site supervisor approves of your time.

Sergeant **Peresada** [continuing]. Has to be informed of it. If he has to call the company for approval, he does that.

Mr. **Winn**. Does the site supervisor know that some of that time that you spent was doing personal errands for Mr. Villella?

Sergeant **Peresada**. Yes, sir.

Mr. **Winn**. All right. There is another person involved right there.

I think that is enough of my time, Mr. Chairman. I think that if we are going to get into pointing fingers, we may have a lot of fingers to point out there. Thank you, Mr. Chairman.

Mr. GORE. There may be a lot of fingers to point, but who was it who asked you to run the errands? It was the associate director, Mr. Villella, wasn't it?

Sergeant PERESADA. Mr. Villella asked me to run the errands.

Mr. GORE. I think that is the central point.

Mr. Reid.

Mr. REID. Mr. Chairman, I did not ask questions when my time came, to allow the witness time to regain her composure. I feel that there are some things that we should make inquiry into, and if you would bear with me, sergeant, I would like to ask you first of all, how old are you?

Sergeant PERESADA. I am 26.

Mr. REID. You worked at this job for 18 months or thereabouts; is that right?

Sergeant PERESADA. That is correct.

Mr. REID. You were hired as a security guard. Did you carry a weapon?

Sergeant PERESADA. No, sir. We were not required to carry weapons on that site.

Mr. REID. I see in this morning's paper, which has already been referred to, that allegedly Villella acknowledged that he did use you as a driver to give the appearance of "soft security." Did you ever hear that, other than when you read it in the paper this morning?

Sergeant PERESADA. No, I did not hear that before I read the paper this morning.

Mr. REID. Have you ever heard that term before?

Sergeant PERESADA. No, sir.

Mr. REID. I think it is imperative and important that we make inquiry into a statement that you made, without embarrassing you any more than perhaps you already are.

You have indicated that, as part of your responsibilities, you worked for Mr. Villella, and that, as I recall your words, he spent part of his time touching you when he should not have; is that right?

Sergeant PERESADA. That is correct.

Mr. REID. This was something that you did not appreciate?

Sergeant PERESADA. That is correct.

Mr. REID. It is my understanding that at the time you were married; is that right?

Sergeant PERESADA. Yes, sir.

Mr. REID. And your husband has recently passed away; is that true?

Sergeant PERESADA. Yes, sir.

Mr. REID. Did you complain to anybody about this, the fact that Mr. Villella was doing things to you that you felt were improper?

Sergeant PERESADA. Yes, sir.

Mr. REID. And that is in addition to picking up his shirts and running errands, that he was touching your body when he should not have been; is that right?

Sergeant PERESADA. That is right.

Mr. **Reid**. Who are some of the people that you complained to?

Sergeant **Peresada**. I did after a period of time decide whether it was embarrassing or not to discuss it with my site supervisor, Lt. Capt. Gary Shorb.

Mr. **Reid**. You did do that?

Sergeant **Peresada**. Yes, sir;

Mr. **Reid**. When did you first discuss this with him, if you can recall?

Sergeant **Peresada**. The instances started the sixth month following my assignment.

Mr. **Reid**. Where did that conversation take place?

Sergeant **Peresada**. At the time, the office was located in the chapel area.

Mr. **Reid**. So it took place in the office?

Sergeant **Peresada**. Yes, sir.

Mr. **Reid**. You were present with Lt. Shorb?

Sergeant **Peresada**. Yes, sir.

Mr. **Reid**. What did you say to him?

Sergeant **Peresada**. I could not keep my composure any more in the offices, and I would at every opportunity leave the presence of Mr. Villella's immediate offices and try to spend as much time as I could in the security office. There were times when I came to the office crying because I was upset. I could not find a solution to deal with the problem, and I did not want to lose the job. So I wanted suggestions from him, and he said that I could pursue it. I could sign some kind of form charging him with sexual harassment.

I felt at the time that my coming into that job, being so inadequate, that no one would believe it.

Mr. **Reid**. So you were afraid of losing your job; is that right?

Sergeant **Peresada**. Yes, sir.

Mr. **Reid**. Did you complain to anyone other than the lieutenant?

Sergeant **Peresada**. I shared some of my experiences and some of my frustrations with another former employee there.

Mr. **Reid**. And who was that?

Sergeant **Peresada**. Michelle Jackson.

Mr. **Reid**. Did you complain to Mr. Villella about his harassing you of a sexual nature?

Sergeant **Peresada**. We had discussions where it was made clear to him that I wanted no personal relationship, yes.

Mrs. **Schneider**. Would the gentleman yield, please?

Mr. **Reid**. I would be happy to, sure.

Mrs. **Schneider**. As a member of the Science and Technology Committee, I am becoming more concerned that we are expending an enormous amount of time on a series of details that perhaps may not be terribly pertinent to the actual investigation that we have here, which relates to financial expenditures of taxpayers' dollars. I recognize that the testimony at this point is certainly interesting and amusing, but I am not quite sure that it is so very pertinent to the details that we are seeking right now.

Mr. **Reid**. In reclaiming my time, I do not feel that it is amusing. I feel it is very serious. I feel that we, as an oversight committee, have an obligation not to overlook things for which we have an oversight responsibility. I really am sure that the word "amusing" was a wrong term of art. I do not consider it amusing. I do feel that we have laid the groundwork and perhaps this matter can be looked into further, as I am sure it will be.

In fact, I would at this time suggest, Mr. Chairman, that you make a decision that perhaps another committee would look into this further. I am sure there are other committees that have more jurisdiction, and this matter should be looked into further, for a lot of obvious reasons.

Mr. GORE. Let me respond by saying that I am confident that it will be. In fact, a staff member from another committee is present, taking notes and monitoring this. Frankly, I would say to both of my colleagues that I understand both of your positions. We want to do the appropriate thing and not react as if this is not a serious matter that needs to be explored. So often in the past it has been overlooked, and people do not take it seriously, in part because they are kind of embarrassed by it and do not want to get into it. But it is a serious matter.

At the same time, there are people's lives involved. The nature of the subject is such that we need to proceed very fairly and carefully. So I will take the recommendations of both of my colleagues and make certain that this matter is referred to the subcommittee that has an ongoing investigation into sexual harassment. As I say, they are here and monitoring the hearing and do intend to pursue it. Perhaps we could move on to some of the other matters that are involved.

Mr. REID. Mr. Chairman, I have no further questions then.

Mr. GORE. Mr. McCandless.

Mr. MCCANDLESS. Thank you, Mr. Chairman. Ms. Peresada, I do not want to get involved in all of this. I need to understand a little bit about your position there. What was your assignment when you were placed in this position by your supervisor of Allied Security? What were you to accomplish as a security guard?

Sergeant PERESADA. There were no requirements that I had to accomplish as a security guard.

Mr. MCCANDLESS. You had an assignment to observe, to check, to do something.

Sergeant PERESADA. I was assigned a post number, as every guard is. Post 7. I was told that I was under the direction of Mr. Villella. I had no time, plus I did not have his blessing to perform security-related duties.

Mr. MCCANDLESS. Can you explain to me what Post No. 7 involves?

Sergeant PERESADA. Everything Mr. Villella asked me to do—chauffering, typing, acting as a receptionist. When I would chauffeur downtown I acted on occasion as receptionist while I was waiting for him to make himself ready to leave.

Mr. MCCANDLESS. I guess I am a little confused here because the opening remarks that you were hired as a security guard under a contract with Allied Security, if I understand your response to my question, we now have you placed in a position of not being a security guard but being some type of a receptionist.

Sergeant PERESADA. I was given the title of administrative aide.

Mr. MCCANDLESS. I see.

Sergeant PERESADA. I had no daily——

Mr. McCandless. That is different than what we originally were introduced to you as being. You left in January 1983. Are you still employed as a security guard?

Sergeant Peresada. Yes, sir. I am employed under the security contract. I am not as yet performing security-related duties.

Mr. McCandless. I am confused, Mr. Chairman. If we contract with some outside agency to provide security, if I understand the party in question's response she is not involved in providing security. She is involved in providing services of an administrative nature. Is this something we ought to look into, as far as the contractual requirements are concerned, of the Allied Security system?

Mr. Gore. It is something we are looking into, with respect to the management of FEMA and the management of this center. Just as the building was supposed to be a dormitory instead of a private residence, she is supposed to be a security guard instead of a personal aide. And there are going to be some other matters that we are fixing to get into here in a minute. So yes, I would say it is appropriate to look into it, and that is what we are doing right here.

Mr. McCandless. The point I was trying to make is, Allied Security was supposed to provide a certain service under a contractual agreement. Allied Security denotes to me that it is involved in the process of providing a secure foundation on which the activities of this institution could take place. If Allied Security is providing services other than security, Mr. Chairman, then I think they conceivably could be in breach of contract.

Mr. Gore. We will look into it.

Mr. McCandless. Thank you. I have no other questions.

Mr. Gore. I have some other questions, and while I am questioning some of the other witnesses here, Sergeant Peresada, if you would like to be excused for a moment and take a short rest, we would be happy to have you do that.

I want to ask some questions of Mr. Duane Murray.

Mr. Murray, you are the head of administration at NETC; is that correct?

Mr. Murray. That is correct, sir.

Mr. Gore. Did you ever have occasion to advise Mr. Villella not to live on the campus on a full-time basis?

Mr. Murray. Yes, I did, sir.

Mr. Gore. That came about because when he first came to the NETC in 1981, he did live there on a full-time basis; is that correct?

Mr. Murray. I did not come there until November 1981, but yes, sir, I believe that is true.

Mr. Gore. And you advised him that that was not in keeping with the authorization and he should not do that; is that correct?

Mr. Murray. That is correct.

Mr. Gore. When FEMA employees live at the center, they are supposed to pay for their rooms; is that correct?

Mr. Murray. Yes sir, that is correct. I think there is a question as to whether people who have a duty station at that location are even authorized to occupy those quarters on any basis.

Mr. Gore. But when he was living there, he was required to pay; is that correct?

Mr. **Murray**. That is correct. We did bill him the standard rate of $5 per night.

Mr. **Gore**. Did he pay those bills?

Mr. **Murray**. He has not, to my knowledge, at this point.

Mr. **Gore**. That is a long time ago, 1981. I guess it puts you in an awkward position. You are not a collection agent. Who was required to collect the money from him that he owed?

Mr. **Murray**. We provided to him a monthly bill, based on the times that we knew he stayed in the room, and provided the bill to him.

Mr. **Gore**. But he continued to——

Mr. **Murray**. He did not pay the bill.

Mr. **Gore**. He did not pay the bills and, to your knowledge, still has not. Now, were any FEMA employees ever ordered to stop keeping records on who was staying in the dormitories at NETC?

Mr. **Murray**. Yes, sir.

Mr. **Gore**. Who was ordered to stop keeping those records?

Mr. **Murray**. It was a lady named Sue Downing, who was the housing coordinator, and she kept all the room assignments and kept all the records on who stayed in the room.

Mr. **Gore**. Who ordered Ms. Downing to stop keeping those records?

Mr. **Murray**. Mr. Payne.

Mr. **Gore**. Mr. Payne? And Mr. Payne is the deputy to Mr. Villella; is that correct?

Mr. **Murray**. That is correct.

Mr. **Gore**. What you were saying earlier was that people who have a duty station at Emmitsburg are not allowed to stay there at all; is that correct?

Mr. **Murray**. That is my belief, in general. We have a legal opinion from our general counsel which says there are certain exceptions, such as if a person has to stay very late for a training function or something, and it is a long distance.

Mr. **Gore**. But in general, this is supposed to be a training facility with students staying there, and the people who work there living in their homes?

Mr. **Murray**. That is correct, sir.

Mr. **Gore**. This was Mr. Villella's duty station at the time?

Mr. **Murray**. That is correct.

Mr. **Gore**. So when he came, he decided to just live there instead and to save having to get a private residence. Then when he was billed each month, he refused to pay the bill.

Do you have knowledge of improvements made to the so-called chapel on the campus that were done at Government expense for the wedding of Mr. Villella's daughter?

Mr. **Murray**. Yes, sir.

Mr. **Gore**. What did those improvements involve?

Mr. **Murray**. The improvements, as I recall them, were basically three things. One was electrical work so that some of the stuff they were going to use for the wedding could be plugged in. There were also lights for videotaping of the wedding. There was also a carpet runner put down the middle aisle of the chapel.

Mr. **Gore**. So a red carpet and lights for videotaping it. This was done by Government employees?

Mr. **Murray**. By our support contractor that does that kind of thing.

Mr. **Gore**. But it was billed to the Government; is that correct?

Mr. **Murray**. Yes.

Mr. **Gore**. We will supply for the record copies of the work orders and, in consultation with the minority, we will decide whether or not to include those in the record. We will hold it open, without objection, for that purpose if we jointly decide to do that.

[The material referred to follows:]

Barefoot

NATIONAL EMERGENCY TRAINING CENTER (about) — SB
MAINTENANCE/WORK ORDER ✓

WO# 83-2 17

DATE: 20 Oct 82

TO: FACILITY AND STUDENT SERVICE SUPPORT DIVISION

TO# 01

BUILDING: C ROOM: ___ OTHER: Chapel ROUTINE: ___ PRIORITY: ___

WORK TO BE PERFORMED: Install electrical outlets (20 Amp duplex) on each side of chancery. Outlets to power 500 W Quartz lamps

Job Complete

REQUESTED BY: J Collins

REQUIRED COMPLETION DATE: ___

DIVISION APPROVAL: ___

FACILITY APPROVAL: FD

TO: TECHNICAL SERVICES CORP.

DATE AND TIME RECEIVED: 21 Oct 82 - 0945

LABOR EXPENDED

HOURS	CATEGORY	COSTS
6	Mechanic 10	
4	" 10	
	TOTAL	

MATERIALS EXPENDED

QTY.	DESCRIPTION	COSTS
30'	½" Emt.	4.28
3	½" " couplings	1.40
2	½" " Connectors	1.40
2	5747 Wiremold boxes	3.92
1	5700F Flex section	5.32
1	511 Flat Elbow.	1.33
	(other sheet) TOTAL	81.79

JOB STARTED (DATE AND TIME) 10-21-82

JOB COMPLETED (DATE AND TIME) 10-22-82

SIGNATURE (PERSON DOING WORK)

SIGNATURE (INSPECTOR) (DATE)

SIGNATURE (SECTION SUPERVISOR)

THIS WORK ORDER TO BE RETURNED TO PROJECT OFFICER UPON COMPLETION OF WORK.

TSC Form EM-6 Revised Oct. 82

NATIONAL EMERGENCY TRAINING CENTER
MAINTENANCE/WORK ORDER

✓

83-097 SB

WO#

DATE: 10-8-82
TO 01

Witty,

TO: FACILITY AND STUDENT SERVICE SUPPORT DIVISION

BUILDING: O ROOM: ___ OTHER: CHAPEL ROUTINE: ___ PRIORITY: ✓

WORK TO BE PERFORMED:

CHECK OUT LIGHTING IN CHAPEL FOR SPECIAL OCCASION —
CHECK WITH MR. BECK 10-12-82 FOR REQUIREMENTS

REQUESTED BY: ___ REQUIRED COMPLETION DATE: 10-27-82

DIVISION APPROVAL: ___ FACILITY APPROVAL: R. Kemp

ATTACHED COMMENTS FROM J. AIKEN

TO: TECHNICAL SERVICES CORP. DATE AND TIME RECEIVED: ___

LABOR EXPENDED

HOURS	CATEGORY	COSTS
0	Electrician	
6	3 Mech Elect 10/20/82	
14	total TOTAL	

MATERIALS EXPENDED

QTY.	DESCRIPTION	COSTS
	Checking circuitry	
	Routing circuitry	
	TOTAL	

JOB STARTED (DATE AND TIME) 15 Oct 82

JOB COMPLETED (DATE AND TIME) ___

SIGNATURE (PERSON DOING WORK)
Witte & Barefoot

SIGNATURE (INSPECTOR) (DATE)

SIGNATURE (SECTION SUPERVISOR)
10 Dec 82

THIS WORK ORDER TO BE RETURNED TO PROJECT OFFICER UPON COMPLETION OF WORK.

TSC Form EM-6 Revised Oct. 82

October 8, 1982

Bob --

Re your questions about how much steady-state light might be needed in the chapel for photography:

With all fixtures turned on, the chapel proper reads 8-footcandles; and, at the altar, the reading is 15-footcandles. This isn't enough light, even for sensitive films. Assuming that the camera is hand-held, and/or the subject moves to any degree, one needs a minimum of 60-footcandles - that's four times more light than presently exists at the altar, and seven times more than exists in the chapel proper.

The rule of thumb is: Increase lamp wattage by a factor equal to that required to bring the light up to the desired level. Ideally, the wattage in each fixture should be increased accordingly. Less ideal, but probably workable: Experience has shown me that in rooms containing many fixtures working in concert, the multiple can be reduced somewhat. In the case of the chaple proper, the multiple can probably be reduced to 5. In the case of the altar, the multiple can probably be reduced to 3 or 3.5. Incidentally, the various "effects" lights - ~~and~~ in and behind the altar, etc. should be increased by a factor of 2.5.

Along related lines, the fusing in the building would have to be upgraded accordingly. Additionally, there is one other rather troublesome factor: Given the time in history when the chapel's wiring was installed, a question exists as to whether that wiring could handle the significantly increased load - without dangerously overheating and burning down the entire structure.

Jim

Jim Ahern

CORRECTION → W/O 83-098
10-8-82

Federal Emergency Management Agency
United States Fire Administration
Washington, D.C. 20472

AREA
N.W./Room

16.44 sq yd.

910 sq FT X $1.83 sq FT 1665.30

To:

From:

487 sq FT 1.83 sq FT $891.21

6'6 X 75 walk way

Mr. Payne

910 sq. ft. is the 3 rooms in the chapel (Berrey, Kunkel, and Carpenter). The $4,000 on the previous work order was incorrect, it should be $1665.30. The attached work order (83-175SB) was not included in the above.

MATWYNE ②

WO# 83-175

DATE: 10/18/82

TB# 053

8:5257

TO: FACILITY AND STUDENT SERVICE SUPPORT DIVISION

BUILDING: N ROOM: Chapel OTHER: ______ ROUTINE: ______ PRIORITY: ✓

WORK TO BE PERFORMED: lay carpet ~~[illegible]~~ down Middle aisle of Chapel

REQUESTED BY: D Murray REQUIRED COMPLETION DATE: ASAP

DIVISION APPROVAL: D Murray FACILITY APPROVAL: F Mathias

TO: TECHNICAL SERVICES CORP. DATE AND TIME RECEIVED: 18 Oct 82 - 1530

LABOR EXPENDED

HOURS	CATEGORY	COSTS
8	Painter	
8	Carpenter	
8	Laborer	
6	Carpenter	
6	Painter	
2	Laborer	
38	TOTAL	

55 sq. yds

MATERIALS EXPENDED

QTY.	DESCRIPTION	COSTS
495 sq. feet	new carpet 55 " 44 sq. yd	~~[illegible]~~ 904.20
2 tubes	adhesive	3.30
140 lin. ft.	metal track Hoke	42.00
140 lin. ft	Brown rubber moulding (Kate)	49.00
[illegible]	[illegible]	
1 lb.	3/4" drywall screws	$9.68
	TOTAL	$ 1009.15 ~~[illegible]~~

JOB STARTED (DATE AND TIME) 0730 10/27/82

JOB COMPLETED (DATE AND TIME) 1400 10/28/82

SIGNATURE (PERSON DOING WORK)
Bill Boyd Jr.

SIGNATURE (INSPECTOR) (DATE)

SIGNATURE (SECTION SUPERVISOR)

THIS WORK ORDER TO BE RETURNED TO PROJECT OFFICER UPON COMPLETION OF WORK. 717 337-5674

TSC Form BM-6 Revised Oct. 82

carpet 1200 sq. ft @ 19,728

Hoke

Mr. Gore. This came to approximately $1,600; is that correct?

Mr. Murray. I do not recall the figures.

Mr. Gore. I think the summary of the work orders will show that to be the case.

Mr. Kemp, your position at the agency is manager of facilities; is that correct?

Mr. Kemp. Assistant facility manager.

Mr. Gore. One other thing on the wedding, Mr. Murray. Do you know if Government employees or contractor personnel were used to plan the wedding?

Mr. Murray. Yes, sir, they were.

Mr. Gore. Which, government employees or contractors?

Mr. Murray. I think there were some of both, but certainly I know of one contractor employee who spent a considerable portion of her time working on the wedding.

Mr. Gore. Mr. Kemp you are manager of facilities there, is that correct?

Mr. Kemp. Assistant facility manager.

Mr. Gore. All right. And included in your job is the responsibility to monitor the telephone bills to approve those made for business and to sort out those made for personal calls, is that correct?

Mr. Kemp. Yes, sir.

Mr. Gore. Were you ever ordered to stop monitoring the telephone bills for personal calls?

Mr. Kemp. Yes, sir.

Mr. Gore. You were?

Mr. Kemp. Yes, sir.

Mr. Gore. Who ordered you to stop monitoring the telephone bills?

Mr. Kemp. Mr. Payne.

Mr. Gore. Mr. Payne, who is the deputy to Mr. Villella?

Mr. Kemp. Right.

Mr. Gore. As a result of that directive, were you required to sign off on bills, even though you had serious questions about the bills?

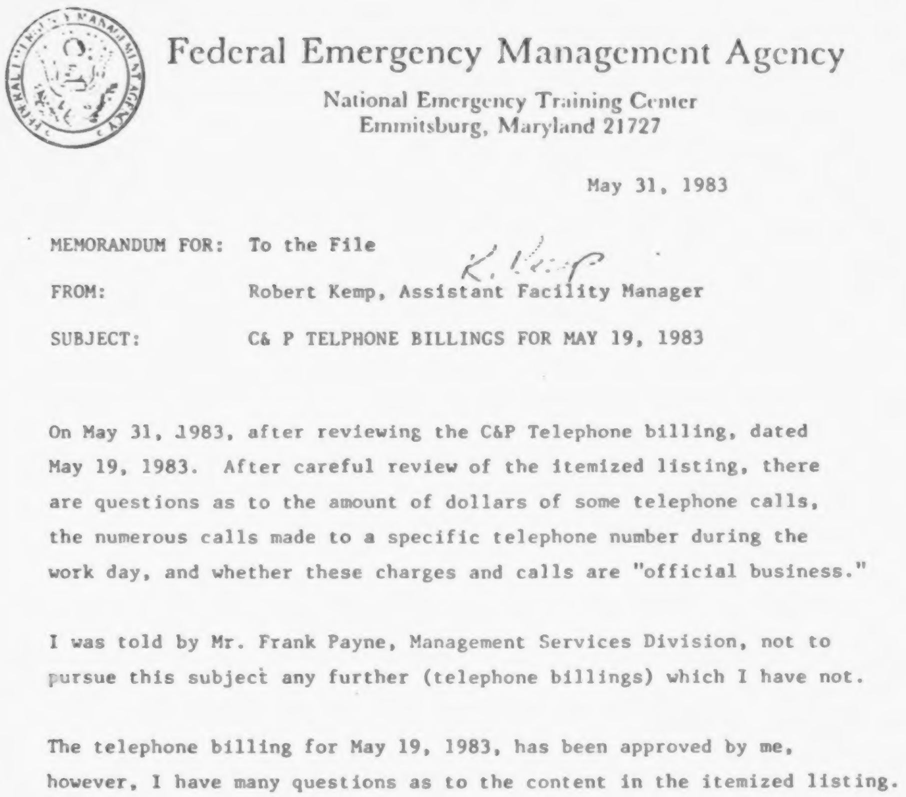
Mr. Kemp. I have been signing off on them, yes.

Mr. Gore. Since you were ordered to stop checking and deleting the personal long-distance telephone calls, you have been approving them anyway, even though you had——

Mr. Kemp. I had reservations, but I have signed.

Mr. Gore. Let me just put this memorandum in the record without objection at this point.

[Material to be supplied follows:]



Federal Emergency Management Agency
National Emergency Training Center
Emmitsburg, Maryland 21727

May 31, 1983

MEMORANDUM FOR: To the File

K. Kemp

FROM: Robert Kemp, Assistant Facility Manager

SUBJECT: C& P TELPHONE BILLINGS FOR MAY 19, 1983

On May 31, 1983, after reviewing the C&P Telephone billing, dated May 19, 1983. After careful review of the itemized listing, there are questions as to the amount of dollars of some telephone calls, the numerous calls made to a specific telephone number during the work day, and whether these charges and calls are "official business."

I was told by Mr. Frank Payne, Management Services Division, not to pursue this subject any further (telephone billings) which I have not.

The telephone billing for May 19, 1983, has been approved by me, however, I have many questions as to the content in the itemized listing.

Mr. GORE. You prepared a memorandum for the file, dated May 31, 1983, in which you say—and without objection we will put it in the record. The members have it in the briefing book. Just as an example, it says, "The telephone billing for May 19, 1983, has been approved by me. However, I have many questions as to the content in the itemized listing." You also say, "I was told by Mr. Frank Payne, management services division, not to pursue this subject [telephone billings] any further, which I have not."

Mr. Lively, what is your position at the agency?

Mr. LIVELY. As head of the academic support and operations division, I have three branches: the learning resource center or library, the media productions center where audio-visual materials are prepared, the admissions registration office where we handle the applications and the logistical arrangements for the students attending. I presently monitor the security contract with Wells Fargo, a linen contract, and the houskeeping contract;

Mr. GORE. Did you attend a meeting at the National Emergency Training Center on January 25 of this year, concerning the proposed audit by the inspector general of FEMA contracts with certain States?

Mr. LIVELY. I attended a meeting, yes. One of my responsibilities at that time was to handle the logistics for special groups, including downtown FEMA program offices. The office of inspector general had requested the use of some space on campus to conduct a meeting. I went over to the executive dining room where they had assembled, and I was prepared to talk to them generally about NETC, the facilities, and the services that would be provided. I there met Frank Payne who said that he would like the people to be brought to his office for a briefing on NETC, and I brought that group to his office and was there while he did make a briefing.

Mr. GORE. Was anything said at that meeting which gave you concern about the purpose of the audits of the State contracts?

Mr. LIVELY. Yes, there was. Mr. Payne showed videotapes, including an overview of the campus and a piece on the potential NETC-West campus, and when speaking to the assembled group indicated that there had been several State directors who had spoken in opposition to the vision of Giuffrida and Villella for the establishment of a western campus. The gist of his statement—I do not remember the exact words—was that there would be negative action taken toward those particular States.

At that time, there was a reaction from the assembled inspector general's staff, a laugh, a nervousness, a bolting upright, and Bob Goffus, the inspector general of FEMA who was there present, explained to Mr. Payne the reason for that reaction; that they were there at the campus to prepare, to plan the audit of the comprehensive cooperative agreements of those States.

Mr. GORE. So what essentially was involved, then, was that some of the States had opposed the plan of the FEMA office to establish a center in the West, and those States which had opposed this plan were singled out for a audit by the inspector general because of their opposition; is that the gist of it?

Mr. LIVELY. That was the impression that I got when those two things were put together. Mr. Payne had spoken about the Western campus, had spoken that there were States in opposition, and there would be negative treatment. Then the inspectors general reacted negatively, and the inspector general said, "Frank, those are the States we are here to plan an audit of, and that is the reason for the reaction by this staff."

Mr. GORE. We are going to have questions for the next panel about the way this IG system works over there. It is not the typical IG arrangement. It is under the direction of the head office, it is not set up by statute, and apparently it does not have independence.

Now, let me ask you, Mr. Buyny, first of all, what is your position?

Mr. BUYNY. My position is chief of the procurement branch at NETC.

Mr. GORE. Let me ask you, and also you, Mr. Kemp, about building G. Mr. Buyny, was any work ever done on the building renovation without written justification, or where the written justification was made after the work was done?

Mr. BUYNY. Yes, sir.

Mr. GORE. Were those changes, in your opinion, appropriate for the contract justification?

Mr. BUYNY. I am sorry, I did not understand.

Mr. GORE. Before asking that question, let me just ask you to elaborate. In your response, are you referring to the extensive work done on the second floor? Is that essentially what you were referring to?

Mr. BUYNY. That is correct;.

Mr. GORE. Were the changes made to the second floor appropriate for the contract justification, in your opinion?

Mr. GORE. I am not sure I understand your question.

Mr. BUYNY. The justification in the contract was for a 15-room dormitory for the entire structure; is that correct?

Mr. BUYNY. Right, at the initial outset of the contract.

Mr. GORE. Now, the changes that were made were made either without written justification, or where the written justification came after the work was completed; is that right?

Mr. BUYNY. That is right.

Mr. GORE. In the case of the second floor, you looked at this, and I would like to put this memo in the record, without objection. It is in the briefing books. It is dated January 9, 1984.

Mr. GORE. Apparently, this memo was from you to Mr. Goodman through Duane Murray: It says:

> As contracting officer for this particular contract, I have several concerns about the proposed changes. I feel the following issues should be addressed before any authorization or approval is given by the procurement review board: (1) The changes appear to be extravagant and unnecessary for the intended use of the building; (2) The necessity for these changes has not been fully documented; (3) The inclusion of these additional changes will increase the contract value to approximately $392,985, a total increase of 100 percent over the original contract value; (4) The proposed changes appear to be far beyond the scope of the original contract.

Now, that was your position on January 9. Is that still your feeling?

Mr. BUYNY. Subsequent to that memo, we had a meeting with Frank Payne addressing the necessity for these changes and whether or not these changes were required. Mr. Payne informed us in the meeting—and there is a document for that record—that the changes required were because of the level of officials that were going to stay in that residence.

Mr. GORE. What is the level of officials that were going to stay there?

Mr. BUYNY. It is addressed to me as being "senior government officials at the local, State and Federal level;"

Mr. GORE. We will put this memo in the record, without objection. Again, it is in the briefing book, dated March 5, 1984, from Mr. Giuffrida to the General Counsel.

[Material referred to follows:]

Office of the Director
Federal Emergency
Management Agency

3/5/84

To: FJV/Jett

From: LOG

Where are we on authorizing quarters for me on post at NETC-E and NETC-W?

3/9

TO LOG

There are no formal legislative steps underway on this (which would have to clear OMB) to my knowledge.

Our earlier discussions had centered around Sen. Laxalt offering this authority during our appropriation process in the Senate in April - May.

Fred V, Ron, you and I should talk further.

Geo Jett

Mr. GORE: It says, "Where are we on authorizing quarters for me on post at NETC"—NETC-East and NETC-West.

Mr. Kemp, a letter in your files states that on Saturday, September 24, 1983, you were instructed by Frank Payne to meet Mr. and Mrs. Villella at NETC to go over the plans for the renovation of building G; is that correct?

[The material referred to follows:]

10/11 83 Received From
Mr Kemp, Project
Officer

LETTER FOR THE FILE

Mr. Frank Payne called me at home on Saturday, September 24, 1983, at approximately 2:00 p.m. and asked me if I would mind coming to NETC to meet with him, Mr. Fred Villella and Mrs. Villella to discuss the renovation plans for Building "G". He asked if I would pick up a set of plans from my office in Building "E" and meet him in his office in Building "N".

I arrived at NETC at approximately 2:45 p.m., picked up the plans and went to Mr. Paynes office in Building "N". Mr. Payne was not there so I waited in his office. He arrived at approximately 3:00 p.m.

We waited until 4:00 p.m. for Mr. and Mrs. Fred Villella to arrive. Mr. Payne asked if I would bring the plans into Mr. Villella's office. Mr. Payne, Mrs. Villella and I reviewed the plans. Discussing the location and number of bedrooms on 1st and 2nd floors. Also that each had a private tub or a shower bath not connecting bathrooms as previously planned.

We departed Mr. Villella's office and walked to Building "G", 2nd floor. The question was asked if the fireplace worked. I answered that I thought it was for affect only. Being that the building was used by St. Joseph's College Home Economics Department, I said I would check it out the first of the week. Everyone seemed generally pleased with the planned layout of the 2nd floor. We did not look at the first floor.

As a group we walked to "H" Building parking lot. Mr. Villella asked what was planned as far as sprinklers for the Building. I told him that none had been planned for the Building. I informed him a stand-pipe fire department connection was planned for the 1st and 2nd floor halls. He stated he wanted the latest design of the Grinnell Low-Profile Sprinklers on the first floor. I told him I would have the contractor send the sub-contractor to his office the following week to discuss the system he wanted.

We walked across the campus to Building "B" (Pub) and had a coke. I departed at approximately 6:00 p.m.

Monday morning September 26, 1983 at approximately 8:45 a.m., Mr. Payne and Mr. Dick Benjamin, David Contractors foreman, came into the office. Mr. Payne asked if I would come with him to his office in Building "N". Upon arriving Mr. Payne informed us that Mr. Villella wanted the bedrooms in Building "G" to have sitting rooms. Mr. Dick Benjamin, Mr. Payne and I discussed the needed changes to accomplish this. Mr. Payne asked if I could get something together so that Mr. Villella could take it to show Mrs. Villella that evening. I completed the drawing before 5:00 p.m.

(2)

Tuesday morning September 27, 1983, Mr. Payne called and asked if I would come to his office to review some changes Mr. Villella wanted. Following is a list of changes requested by Mr. Payne:

First Floor Changes-

1. Two (2) bedroom suites should be turned back into single rooms.
2. Rooms 104 and 110 should have connecting doors.
3. Provide social room on 1st floor near entrance door.
4. Eliminate partition between rooms 105 and 113, make into a single room.
5. Place wet bar in social room.

Second Floor Changes-

1. Change kitchen room 2nd floor into wet bar - provide complete kitchen in room east of room 206. Eliminate room part of room 208.
2. Install a working fireplace in the location of present non-working fireplace.
3. Check shower size making sure they are large. (36"x36")

The above changes were made on attached plan #1.

Mr. KEMP. Yes, sir.

Mr. GORE. You did meet them?

Mr. KEMP. I did.

Mr. GORE. Mrs. Villella had some ideas for the renovation?

Mr. KEMP. We went through the second floor of G building and she was talking about changes, but she did not tell me of any changes at that time.

Mr. GORE. Two days later though, on September 26, you were instructed by Mr. Payne to "get something together" in the way of design changes so that Mr. Villella could show the plans to his wife that evening; is that right?

Mr. KEMP. Yes, sir.

Mr. GORE. Why did you write these memos to the file?

Mr. KEMP. I was concerned about it. I had talked to Mr. Murray. Mr. Murray had advised me to document it.

Mr. GORE. Given your association with that project, is it your observation that Mrs. Villella and Mrs. Payne had a great deal of influence in the renovation project?

Mr. KEMP. I called Mrs. Villella only twice, and I did not get a response either time. Mrs. Payne, I met her in Mr. Payne's office and was told that Mrs. Payne would work with me, and if I had problems in getting the color selections or anything relating to the remodeling of G building, I should take it to Mrs. Payne, which I did. She coordinated the color selection, the tile selection, the electric fixture selection for that project.

Mr. GORE. In your experience, is it a usual practice to have the wives of senior officials involved in renovation decisions?

Mr. KEMP. At the time, I was not aware that it was a violation of Government regulations. I have only been with the Government since 1977. I worked with a private college before that, and the women were quite involved in any renovation that took place at that college.

Mr. GORE. Fair enough. Mr. Shriner, you are the president of David Contractors; is that right?

Mr. SHRINER. That is true.

Mr. GORE. You were the contractor on building G; correct?

Mr. SHRINER. Yes, sir.

Mr. GORE. Aside from FEMA employees, who assisted in the decisions concerning the renovations? Did Mrs. Payne participate?

Mr. SHRINER. To the best of my knowledge, she made decisions.

Mr. GORE. About the light fixtures and so forth?

Mr. SHRINER. That is true, but at the time that she started doing this, we were in a desperate situation. We needed decisions, and we were very glad that she did come forth.

Mr. GORE. All right. Fair enough. Let me apologize to my colleagues for taking so much time. I wanted to lay out this subject matter, which will get away from us unless it is laid out first. Let me recognize my colleague, Mr. Skeen.

Mr. SKEEN. Thank you very much, Mr. Chairman. In connection with this panel, I would like to ask this question.

Prior to the time that the General Accounting Office or the staff of the Investigations and Oversight Subcommittee began their discussions with you or their questioning, did this group as a group ever get together, prior to that time and talk about the abuses or the misuse of funds or anything of that kind, as a group, as it is constituted today?

Mr. MURRAY. I think the answer to that is no, sir.

Mr. SKEEN. I would like each one of you to answer yes or no or however you would like to answer it.

Mr. LIVELY. Myself, Dick Buyny, and Bob Kemp report to Duane Murray, who is head of management and administration. So in several of the areas that we have discussed today, at staff meetings, we did raise them as questions, in terms of how we would address them, in terms of the various positions we felt we were in concerning problems, how to bring them to Mr. Murray's attention, and actions that should be taken in order to perform our duties. I personally participated in several of those conversations in staff meetings. We did not get together relative to this particular testimony.

Mr. SKEEN. To this problem is what I am talking about, and you did.

Mr. LIVELY. To some of them, in general, yes. We would have to go through each one of them, one by one.

Mr. SKEEN. In the general problem of misuse, in the general area that we are talking about today, you did have a prior meeting of this group?

Mr. LIVELY. I was at staff meetings where we discussed the renovation of G building and the problems that were occurring in that.

Mr. **Skeen**. During this conversation, was it brought up at any time that there may be some problem, or that there may be some abuse of administrative function in regard to this thing, in the conversation amongst all of you?

Mr. **Lively**. Yes; it was raised that some of the things going on there were questionable.

Mr. **Skeen**. Who was considered senior in that group? Mr. Murray?

Mr. **Lively**. Yes.

Mr. **Skeen**. Was any decision ever made to discuss this with Mr. Payne or Mr. Villella or anybody else that was part of the administrative group?

Mr. **Lively**. I don't know. I presume so. That is not my area of responsibility.

Mr. **Skeen**. You had the conversations, and I know that it was not your direct responsibility, but there was no decision as a group then ever to discuss this with any of the so-called lead figures in the administration?

Mr. **Lively**. At the staff meetings we would raise problems, and then they would be taken care of between Mr. Murray and the responsible person.

Mr. **Skeen**. Give me an idea what you mean by problem, Mr. Lively. A problem with Mr. Payne, a problem with Mr. Villella, or a problem with design, or a problem with appropriation? Give me some idea.

Mr. **Lively**. We have been talking mainly here about G building.

Mr. **Skeen**. Yes, sir.

Mr. **Lively**. There were issues raised relative to the timeliness and the quality and the quantity of the actions concerning G building that would be raised. Then that is something that would be said, "We will have to take care of that. You and I will get together on that later, and we'll work it out."

Mr. **Skeen**. Any discussion at all about any inappropriateness of some of the design or some of the use or any talk of misuse?

Mr. **Lively**. There were questions about whether it was appropriate for Mrs. Payne to be making some of the fabric and color selections. Then that led to, "Well, I think you better make a note of that," as we discussed here. That is one instance.

Mr. **Skeen**. But nothing was ever done as a group to take official action, so to speak, or response?

Mr. **Lively**. The group never acted in that way.

Mr. **Skeen**. In that capacity.

Mr. **Lively**. We were not a board. We were just a staff group that would discuss issues.

Mr. **Skeen**. A concerned staff group.

That is all I have at this time, Mr. Chairman.

Mr. **Gore**. Mr. Reid.

Mr. **Reid**. Thank you, Mr. Chairman.

I would like to follow up with you, Mr. Murray. I believe it was you who talked about the telephone. Your job was to oversee and sign off on the telephone?

Mr. **Murray**. That was Mr. Kemp.

Mr. **Reid**. Mr. Kemp? It was your job?

Mr. **Kemp**. Yes, sir.

Mr. **Reid**. I'm sorry.

In fact, we have a memo that is in the record indicating that you signed off, even though you felt some of the telephone charges were not appropriately charged to the government; is that right?

Mr. **Kemp**. Right.

Mr. **Reid**. Give me an idea of some of the charges, some of the calls that you felt should not have been billed directly to the Government?

Mr. **Kemp**. There were three occasions that I recall, and two occasions I went in and talked to Mr. Payne about. We noticed on one of the bills that we were getting the same number called three and four times a day. Over a period of a week, there were about seven or eight calls to the same number. We checked into that and found out that it was one of the employees there calling home. Mr. Payne called that individual in and took care of that one instance.

There was another instance at the same time that related to the secretary in the office. That was not taken care of.

Mr. **Reid**. Those are the types of things about which you were concerned?

Mr. **Kemp**. Those were the types of things. We noticed that there was another call out—I cannot recall what State—but we tracked it down, and it was one of the adjuncts calling home, using one of the campus phones.

That was a time when I went into Mr. Payne's office, and he told me very definitely he did not want me to get involved in any more telephones until he told me.

Mr. **Reid**. One of you gentlemen testified earlier about some renovations made in laying some carpeting and improving the lighting for a wedding that was to take place. Who was that who testified?

Mr. **Murray**. That was me, sir.

Mr. **Reid**. Mr. Murray, was there any reason other than the wedding for improving the carpeting and the lighting in that facility?

Mr. **Murray**. Not the lighting, I don't believe. The carpeting, I think we would have eventually have carpeted that aisle anyway, because we had just had a firefighter's memorial service a few weeks before, and it was very noisy. It was something we probably eventually would have done. We did not carpet it with red carpet. We carpeted it with some of our standard commercial carpet that we used in other offices and dormitory rooms.

Mr. **Reid**. How close to the wedding were these repairs, renovations, improvements made?

Mr. **Murray**. Within 2 or 3 weeks before the wedding took place:

Mr. **Reid**. Also there has been some testimony about the extensive renovation of the building G—

Mr. **Gore**. Mr. Reid, would you yield for just a moment?

Mr. **Reid**. I would be happy to.

Mr. **Gore**. In connection with your questions about the lighting fixtures in the chapel, I would like to put into the record, without objection, a memo responding to questions within FEMA about what kind of lighting was needed for photography and videotaping, just prior to the wedding. The type of light fixtures that were necessary to conduct the photography were the ones that were installed. Without objection, we will put that in the record.

[Material previously supplied.]

Mr. GORE. Excuse me. Go ahead.

Mr. REID. Thank you, Mr. Chairman. In regard to building G, were these facilities—I guess what I am trying to drive at is, who came to this facility that would, I guess, justify staying in a place like this? Who has come in the past?

Mr. MURRAY. Mayor Bradley from Los Angeles had been a guest on a campus probably 6 months ago, or something like that. I think he is probably the highest level official we have had spend a night on the campus.

Mr. WINN. Would the gentleman yield?

Mr. REID. I would be happy to yield.

Mr. WINN. I thank the gentleman for yielding again;

We all have a list of the names of the officials from many, many, many countries all over the world that have come to sessions out there. I would suggest, to answer that question, that that entire list be put in the record.

Mr. REID. I certainly have no objection.

Mr. GORE. Without objection, we will put it in the record.

[Material referred to follows:]

VIP'S THAT HAVE VISITED NETC

1983 - Shirley Franklin, Chief Administrative Officer, Atlanta, Georgia
Rear Admiral Kumud Kamalanavin, Thailand
Major General Taweep Sattanond, Thailand
Mr. Prateep Sundararjum, Thailand
Bruce W. Hogan, State Training Officer, South Australia
Jack Brinkley, Ex-Congressman, Georgia
Juan E. Lopez, Civil Defense Director, Puerto Rico
Mr. S. Saleh, Mr. H. Saleh, Mr. Shalaby, & Mr. A. Elatar- Egyptian Dignitaries
President Gerald Ford

1984 - Brigadier General Lawrence B. Campbell. Army National Guard
Ambassador Shaul Rasolio, Israel
Assemblymen Dave Nicholas, Charles Joerg, Larry Gish
Congressman Don Mitchell and Congressman Jack Brinkley
Andy Gross, Chief of Staff for the Governor of Nevada
Dr. Charles F. Bonser, Dean of Indiana State University
T. Frank Mansell, Deputy Assistant Chief, Canada
William E. Stinnett, Saipan
Rodney Walters, Victoria, Australia
Bruno Corelio, Anton Lipai and Tom Tarkij, Micronesia
Miguel Franguez, Guam
Robert Doyle, Mayor of Mobile, Alabama
David Townsend & Dwayne Squire, Alberta, Canada
Eugene Ball & Michael W. Roberts, Bermuda
Stan Stothard, Canada
Thomas Bradley, Mayor, Los Angeles, California
John Caufield, Senator, New Jersey
Vincent Hollinsid & Malcolm Johnson, Bermuda
Mr. Valente, Deputy Chief, New Jersey
Bill Connelly, Director, New Jersey
Gus Brummer, Director of Fire Division, New Jersey
Karl Meyer, Assistant Director, New Jersey
Dr. John Stealey & Dr. Gordon Turnball, London, England
Dr. Toleti & Dr. Rawat, New Dehli
Messrs. Gunnar Gustafsson & John Tjorneryd, Swedish Civil Defense Officers
John Pacjeco, Bermuda
Saleh Al-Mazrouri & Mohd Al-Mansouri, Abu Dhabi, United Arab Emirates
John Dellow, United Kingdom
Trevor Forbes, United Kingdom
Bob Powers, Deputy, U.S. Department of Treasury
Tom Parker, National Governor's Association
Desmond O'Brien, Canada
Reinhard Rupprecht, West Germany
R.J. McIntyre, Northern Ireland
Honorable Edwin Meese III

CONFERENCES

NATO - November 1983 (see attached list)

NOTE: In the past two years the Federal Emergency Management Agency has hosted over 400 foreign visitors. Due to limited resources at the National Emergency Training Center for lodging, their use of this site has been minimal.

ANNEX C

LIST OF PERSONNEL EXPECTED TO ATTEND THE TRAINING SESSION

BELGIUM

Mr J Clarisse (Observer)

CANADA

Mr R Corbett
Mr G Manery
Mr J Murray
Mrs C Harwood
Mr J Aspin
Mrs K Hecks
Mr K Hamilton
Mr J Molnar
Mr F Habets

DENMARK

Mr N Mogensen (DISTAFF)
Mr T Madsen
Mr K Pontoppidan
Mr L Thaarup-Nyberg
Mr P Rasmussen
Mr C Bjerrum
Mr O Rich
Mr B Tvilde

FRANCE

Mr J Gautier
Mr P Colin
Mr A Lambert
Mr F-O Braunschvig
Mr D Bonot
Mr J-F Cloarec
Mr J Cachot
Mr F Pasteau

GERMANY

Mr D Lindemann (DISTAFF)
Mr O Seiler (DISTAFF)
Mr N Schues
Dr R Pusch
Dr B Kroger
Dr J De La Trobe
Mr K Groger
Mr G Knull
Mr O Von Maydell
Mr H Ullmann
Dr M Bley (Observer)

GREECE

Mr G Bisbas (DISTAFF)
Mr G Panikidis
Mr K Alexandrou
Mr A Zervos
Mr L Loucas
Mr C Petrides
Mr J Pitsios
Mr G Glytsis

ITALY

Mr L Terranova
Mr R Bevilacqua

NETHERLANDS

Mr P Tack (DISTAFF)
Mr M J Muller
Mr N van der Vorm
Mr J Harting
Mr G Veldt
Mr F Fokma
Mr A de Jong (Observer)

NORWAY

Mr E Engelstad (DISTAFF) Chairman of the Training Session
Mr H Michelet (DISTAFF)
Mr T Vaaler (DISTAFF)
Mr A Ugland
Mr K Stoltenberg
Mr J Poulsen
Mr A Kjerland
Mr K Kloster
Mr O Tidemand
Mr A Hafsted
Mr H Faerden
Mr E Bauer-Nilsen
Mr K Ecroll
Mr T Johnsen
Mr P Larssen
Mr A Lindstad
Mr B Nossum
Mr P Omtvedt
Mr A Pedersen
Mr K Rasmussen

UNITED KINGDOM

Mr S Frankiss (DISTAFF)
Mr A Cullen (DISTAFF)
Mr P Gorick
Mr B Parkinson
Mr M Northen
Mr R Maynard
Mr G Marchant
Mr R Miles
Mr I Laing
Mr M Muller
Mr M Williams
Mr C Dean
Mr P Brazier
Mr P Tye
Mr S Holness (Observer)

UNITED STATES

Mr F Case (DISTAFF)
Mr S Orosz (DISTAFF)
Mr S Nemirow
Mr R Tarr
Mr J Tomkins
Mr R Knutsen

UNITED STATES (CONTD)

Mr W Oates
Mr T Sawick
Mr E Bender
Mr B Smith
Mr M Nottingham
Mr F Larson
Mr G Hall
Mr E Hawkins
Mr P Ackerman
Mr R Athay
Mr R Proctor
Mr M Geller
Mr L Hoskins
Mr M Louden
Miss K Burroughs
Mr J Watson
Mr J Warren

SACLANT

Cdr R Jackson (Observer)

CINCHAN

Cdr R Sindorf (Observer)

SACEUR

Capt T Oltmans (Observer)
Lt Col G Ramage (Observer)
Lt Cdr W Ellison (Observer)

FAPC

Mr E Nichols (Observer)

IPC

Mr J Richards (Observer)
Mr Hankins (Observer)

PPC

Mr T Cutler (Observer)

CCPC

Mr Engelbrake (Observer)

PBOS (London)

Mr M Borland (DISTAFF)
Mr E Lee
Mr N Jordan

CEPD, NATO BRUSSELS

Mr L Hetherington (Training Officer)
Mr M Elmquist
Mrs B Demettre
Plus two more.

FEMA

Mr Giuffrida (Observer)
Mr Patrick (Observer)
Mr Miller (Observer)

US NATIONAL SHIPPING AUTHORITY

Mr Lockland (Observer)

US JOINT CHIEFS OF STAFF

Capt Ekstrom

Mr. REID. The last line of questions I have, could one of you respond as to whether the work was approved according to government procedures, prior to the work being done or after the work being done?

Mr. BUYNY. I could respond to that. There was approximately I would say, $28,000 worth of work or effort that was expended or dollars that were expended prior to any authorization from the procurement office.

Mr. REID. Mr. Chairman, I have no further questions.

Mr. GORE. Let me just note at that point, it seems to me the central question with respect to people visiting there is whether or not the level of visitors, the people who came routinely, were at a level that the U.S. taxpayers were obligated to provide them luxurious VIP housing. I think the list will indicate overwhelmingly that the people who came were principally fire chiefs. There were places to stay in the area.

Mr. SKEEN. Will the chairman yield?

Mr. GORE. Yes; I will be glad to yield.

Mr. SKEEN. I would want to make note, Mr. Chairman, that there were two former Members of Congress. Now, that may be total justification for the whole thing.

Mr. GORE. Two former Members of Congress went. All right, Mr. Winn.

Mr. WINN. Thank you, Mr. Chairman. I would like to ask Mr. Shriner if the fact that Mrs. Payne, I believe it was, made some decisions that you felt had to be made, or any of the other panel could answer this, are any of you aware that she has any particular expertise in decorating, other than the woman's intuition?

Mr. SHRINER. I have no idea.

Mr. WINN. You don't know that she doesn't, though?

Mr. SHRINER. I have no idea. I particularly didn't care if the Devil himself picked it, you know. We just needed some answers.

Mr. WINN. You just needed some decisions made.

Mr. SHRINER. Right.

Mr. WINN. Any of the rest of the panel, are you aware that she does or doesn't have any background in decorating?

Mr. MURRAY. No, sir, I don't.

Mr. BUYNY. I don't.

Mr. WINN. I do not quite understand, other than by innuendo, what do the personal telephone calls that Mr. Kemp was asked to check, what do they have to do with Mr. Villella? Did he make the calls? Were these personal calls?

Mr. KEMP. No; we did not check on Mr. Villella's telephone calls. These were telephone calls other than Mr. Villella's calls.

Mr. WINN. Well, somebody must have given you—is this the usual course there? If so, we ought to have it up here. Is that the usual procedure out there, to check on personal telephone calls?

Mr. KEMP. It is not checking on personal telephone calls.

Mr. WINN. I mean who made the call? Do you check your bill every month out there to see who made the calls to certain numbers?

Mr. KEMP. No.

Mr. WINN. Were you just looking for an irregularity?

Mr. KEMP. We were just looking for excessive telephone calls. We weren't checking persons.

Mr. WINN. No; I don't mean what they were saying or who they were calling. I know what you mean. But I just wondered if that is your usual procedure out there.

Mr. KEMP. Back in the fall of 1982, there was concern about the escalating telephone bills. Mr. Warren Rucker called me in his office—he was the head of the division at that time—and said that we needed to check into these phone calls and try to get some handle on them, try to see if we couldn't bring down the telephone calls. That is what generated this check.

Mr. WINN. When you checked these calls, then as I understand it, you said you submitted them to Mr. Payne?

Mr. KEMP. No; I submitted only three of them to Mr. Payne.

Mr. WINN. Three of them. And what did he tell you to do with them?

Mr. KEMP. He took care of the one, and the other two we just didn't do anything about it.

Mr. WINN. What do you mean "he took care of them"? He paid for it? Or that person paid for it?

Mr. KEMP. That's right, on the one occasion.

Mr. WINN. Did any of those people have anything to do with Mr. Villella?

Mr. KEMP. No.

Mr. WINN. Or his family?

Mr. KEMP. No.

Mr. WINN. Or his wedding?

Mr. KEMP. No; absolutely not. We would go over the telephone bills, and on the telephone bills they give you the time. A lot of the times the calls were after hours or before hours. That is where the concern came in. We did not check on the ones during duty hours.

Mr. WINN. Why did the one person take care of their calls and the other two were not asked to?

Mr. KEMP. I cannot answer that.

Mr. WINN. Mr. Chairman, are we going to have Mr. Payne here?

Mr. GORE. Yes; he is going to be on the next panel.

Mr. WINN. Mr. Shriner or any of you, I wonder if you could give me what additional cost—the chairman put in the total cost for the repairs and the remodeling of the chapel, which as I understand it not only was the place of the wedding but also memorial services to fallen firefighters; is that true?

Mr. MURRAY: That is correct.

Mr. WINN. Can anybody give me an estimate, if we were going to bill Mr. Villella or the wedding party or whoever is involved, how much additional money do you think it costs you or cost FEMA to put that chapel into shape, over and above what you would normally do for memorial services?

Mr. MURRAY. I am not sure I understand your question, sir.

Mr. WINN. Somebody made the insinuation that there was all this extra work done to get ready for the wedding, and it sounded like it probably was. How much over and above the normal maintenance, remodeling, or whatever was done for memorial services. What additional amount of money was spent specifically you think for the wedding? Mr. Murray. Well, I think—Mr. Winn if you want to send Mr. Villella a bill, how much would you send him?

Mr. MURRAY. Those three items were specifically asked for that wedding to be in place.

Mr. WINN. How much money?

Mr. MURRAY. They have the numbers there.

Mr. GORE. We calculated it from the work orders, and it was $1,600.

Mr. WINN. I wanted to get that in there. When this is all done and all shaken down, it might be that Mr. Villella just might want to pay for that and get it beyond him.

I do not have any further questions. Thank you, Mr. Chairman.

Mr. GORE. Mr. McCandless?

Mr. MCCANDLESS. Thank you, Mr. Chairman. I believe we have worked this panel over rather well up to date. In the interest of time and in view of the fact that we have two votes coming up, I have no further questions. Thank you.

Mr. GORE. Thank you very much. Let me ask one very briefly, and it is on a matter that we are going to pursue with the next panel.

Mr. Murray, on February 2, 1984, Mr. Bruce Marshall signed on your behalf a recommendation to award a bonus award to a Ms.

Harkenrider of $950. Excuse me, not on your behalf, on Mr. Payne's behalf. You were on a committee at NETC that was formed to make recommendations as to outstanding FEMA employees who should be given awards in recognition of their services; is that correct?

Mr. MURRAY. That is correct, sir.

Mr. GORE. And the committee recommended that that award not be given; is that correct?

Mr. MURRAY. That is correct, sir.

Mr. GORE. And it was given anyway; is that correct?

Mr. MURRAY. That is correct, sir.

Mr. GORE. We will pursue that later.

Let me tell you what our procedure is going to be from here on out. I would like to ask the members of this panel to remain available for further questioning if necessary. We have a quorum call and a vote on the floor, and we are going to take a short break for that. Since it is right at the lunch hour, we are going to adjourn until 1 p.m. That gives us 45 minutes, and we will reconvene here with the panel from FEMA, and all subpoenaed witnesses should remain available. We will recess until 1 p.m.

AFTERNOON SESSION

Mr. GORE. The subcommittee will come back to order.

I would like to recall to the witness stand Mr. Duane Murray for a brief interchange, and then we are going to move on to panel No. 3.

Mr. Murray, we were in such a rush finishing up the last panel in time for those votes that we did not go through the customary thanks to the panel members and everything. I would like to thank you and, through you, all of the other people who were with us during the last panel for your testimony. I would like to invite you to make any concluding statement that you would care to make.

Mr. MURRAY. Thank you, Mr. Chairman. I would like to say that this morning I felt that there was an implication that I or members of the staff, did not pursue or take any initiative to bring to the attention of management or do anything about the areas that we perceived as being incorrect or improper. I want to set the record straight that in fact we did, on many occasions.

I, myself, went to Mr. Villella on many occasions to talk to him about things that I felt were improper.

Also on at least three different occasions, I talked to Mr. Jett, the general counsel, about various items that I felt were improper. I believe that in some respects that I even gained a reputation as being somebody who caused trouble on the campus, being disloyal and otherwise because I kept bringing these issues to management's attention.

Mr. GORE. I think the record should include that.

Mr. SKEEN. I think that is in response to my question. That is precisely the response that I wanted from the members of the panel, and we did not get to it. I apologize for the haste and somewhat for the waste that we have in these kinds of hearings.

I wanted to give you an opportunity, Mr. Murray, to make that statement, if you would, because that is the point I was trying to get at. You folks had been meeting, and it had come up for discussion several times, so why wasn't anything done about it. I think you have cleared that up. Thank you, sir.

Mr. MURRAY. There was plenty of discussion about things being done about it.

Mr. SKEEN. I understand that. We will let the record reflect that.

Mr. GORE. Let me also say that I think the record of service on the part of those who were on the last panel—I exclude Mr. Shriner only because he is not a Government employee, and I am not familiar with his personnel records and performance because he comes from the private sector. I think the records of the other individuals testifying are exemplary. You have been dedicated public servants, and I commend you for your forthrightness and candor.

I want to make a statement that I hope is not necessary to make, but I want it on the record anyway. That is, to the officials at FEMA this subcommittee will not tolerate any hint of any kind of retribution against any employee who has responded to questions and requests for information by this subcommittee.

This is our obligation to the people of this country under the Constitution. We are discharging that obligation, and we have asked for the assistance of these employees. I don't want to see any semblance of any form of retribution whatsoever.

I can assure you, whoever is listening to this in the upper ranks of FEMA, that any hint of that will be followed quickly and decisively with action by this subcommittee, and I'll tell you, we will be extremely persistent in pursuing any trace of anything like that. I want to say that for the record.

Mr. SKEEN. Will the chairman yield?

Mr. GORE. Yes.

Mr. SKEEN. I hope that we did not have to make that kind of statement for the record, because I think it goes without saying. If you are going to run something well, then people should be free to make their feelings known without retribution.

In that interest, I also would like to bring up the issue of due process, Mr. Chairman. We have had some discussion this morning that could lead to either another subcommittee's action or one more appropriate, I would think, than the Science and Technology's Investigation and Oversight Subcommittee, or the courts, and that has to do with sexual harassment.

I would like to clarify with you what the ground rules are going to be in connection with that aspect of this particular investigation. I would think that it would be well for us to refer this to either Mrs. Schroeder's committee or the courts.

Mr. GORE. First of all, if Mr. Villella wishes to offer testimony with respect to that particular matter, we would be glad to offer him the opportunity to do so, either in open session or in closed session, if he wished to do that.

As to our pursuit of the matter, I would consult closely with the minority and majority members about the appropriate way to pursue it. It's my intention to pursue it vigorously. I don't want to exceed the jurisdiction of our full committee, and as a result that may well involve referring the matter to a committee wherein this matter lies clearly in the center of their jurisdiction.

Any allegations received during hearings that constitute criminal violations can be referred to the proper authorities for consideration of prosecution, but no such decisions will be made until there is full consultation on both sides of the aisle.

Mr. SKEEN. When are we going to begin that consultation, Mr. Chairman?

Mr. GORE. As soon as this hearing is over, if you like.

Mr. SKEEN. What about right now?

Mr. GORE. I think we ought to move forward.

Mr. SKEEN. In the interest of due process, Mr. Chairman, once again I have to say that if one of the witnesses or if Mr. Villella chooses not at this time to make any response to charges or something of that kind, I think he is perfectly within his rights not to.

Mr. GORE. OK. I misunderstood the thrust of your question. I think that is correct. As a matter of law and as a matter of the legal prerogatives of the subcommittee, Mr. Villella could be asked those questions. It would be my intention to give him an opportunity to make a statement on that subject if he cared to, but not to compel him to respond with respect to that matter in this forum at this time, until we had discussed the matter further among ourselves.

Now all these other matters, I do intend to ask questions about them, and I do expect answers to them.

Mr. SKEEN. I certainly think so, Mr. Chairman. Otherwise we would have gone through an awful lot of trouble and put these folks with these TV cameras out a whole lot. So I think there is nothing wrong with that.

I just want to be sure that we are taking care of everybody's rights in this thing, the accused as well as those who are the accusers. I just wanted that clear before we ever started with this line of questioning. I think that we do have a sound basis now on which to proceed. So, given that, I think it would be proper at this time to get on with this.

Mr. MCCANDLESS. Would the chairman yield?

Mr. GORE. Let me just also add that FEMA and the fire training academy and this center are clearly within the jurisdiction of the committee, and any misconduct by the officials there is within our jurisdiction.

Mr. SKEEN. Mr. Chairman, I don't think we are going to question anybody's jurisdiction here. I think the basic consideration was the protection of due process, and should the witness decide that he does not care to answer at this time or await whatever further action is going to be taken by any other committee or court.

Mr. GORE. I understand that, and the only point that I am making is that a decision not to vigorously press and compel answers with respect to that particular matter is a judgment within the discretion of the Chair. Due process concerns, as my colleague uses the phrase, are different when a witness is in a congressional hearing than in a court hearing. I simply want to establish for the record that we have the legal right and authority to proceed in that fashion, if we wish to do so. But because of my own concerns about exactly what is involved here, I'll agree with my colleague that the thrust of the hearing should be about what I regard as the serious mismanagement of this agency. That is going to form the principal basis of the hearing.

Mr. SKEEN. I understand that, Mr. Chairman. Once again, I will go over this with you. To make the distinction between this being a legal hearing or a legislative hearing is well taken.

Mr. GORE. No, no; that's not the distinction. The distinction is between a congressional hearing and a——

Mr. SKEEN. A legal proceeding.

Mr. GORE [continuing]. And a court trial, where due process has particular meaning.

Mr. SKEEN. Just so we all understand that, I think that is the basis on which I brought this issue up. So long as we have that basic understanding, then I don't have any problem with it. Just so that understanding has been spoken, it is in the record, and it conforms with the bipartisan agreement that we had at the outset.

Mr. GORE. I think we ought to proceed with the hearing.

Mr. MCCANDLESS. Mr. Chairman, I asked for——

Mr. GORE. Does the gentleman desire to be recognized?

Mr. MCCANDLESS. I do not want to belabor the issue, but I feel the need to respond to the subject matter in question here. These are personnel matters which have clearly defined State and Federal policies and procedures dealing with the harassment issue. I must say, in all candidness, I do not see the Science and Technology Subcommittee as being involved in this aspect of it. I don't know what the laws of Maryland are, but I do know what the laws of California are, having come from California government. There are many different ways by which the individual can exercise what it is they consider to be their rights and have those rights protected under the State law. I'm sure, from my limited knowledge of Federal law, that the same applies with Federal employees and those who contract with the Federal Government. I just don't see our committee being involved in this.

Mr. GORE. Let me just clarify once more for the record, and then we are going to proceed. These people are paid by Federal funds authorized by this committee. Their actions while employed by the taxpayers in an agency under our jurisdiction is an appropriate matter for our inquiry.

However, in an exercise of discretion, I am simply telling the gentleman that I think there is so much evidence of abuse and waste here that we ought to spend our time on it and decide more carefully and deliberately the appropriate way to pursue the allegations of sexual harassment which were made during the course of the panel this morning.

That having been said, I want to go ahead now with the final panel.

There is one other matter that I want to say in introducing the final panel. We invited the Director of the Federal Emergency Management Agency, Mr. Louis Giuffrida, to attend this hearing. We felt, based on our preliminary investigation, that there were, in fact, serious questions about mismanagement. We have not been formally advised that he would not attend the hearing. We formally invited him quite a long time ago. We contacted him and asked him to set aside this date on his calendar because his presence might well be required. We then formally issued the invitation, and we have not, as yet, been formally advised that he would not attend. So let me just give him an opportunity to step forward if he is here.

[No response.]

Mr. GORE. My understanding is that he has chosen not to appear.

Mr. SKEEN. Would the chairman yield?

When was the formal invitation made?

Mr. GORE. The formal invitation was made only yesterday.

Mr. SKEEN. What time yesterday.

Mr. GORE. Excuse me. July 13; the formal invitation was first issued on July 13. It was reconfirmed yesterday, and we have not been formally told that he would not appear.

Now, we had the option of issuing a subpoena for Mr. Giuffrida. I find it rather incredible that we would have to resort to a subpoena to get testimony from the head of a Federal agency within our jurisdiction about serious allegations of waste, fraud, and abuse. That could have been done.

But because we work closely with the minority on this subcommittee, and because the minority expressed the wish that they did not want to subpoena Mr. Giuffrida to come here and answer questions about this, we decided not to issue a subpoena and instead to continue with the formal invitation in the hope that Mr. Giuffrida would come. But evidently, he has decided that he does not want to appear here today.

Mr. SKEEN. Mr. Chairman, may I interject one more time? I am not trying to nit-pick with you. That is not my understanding at all, and the statement you just made runs contrary to what information I have.

General Giuffrida was invited, I think, to consider appearing here, starting in the July 13 area. He agreed, it is my understanding, and would try to leave his schedule open. Before the plans were formalized for this hearing today, he would leave his schedule loose as long as possible. It was my understanding that he has an absolute commitment today and would be happy to appear, other than the fact that he had already closed out his schedule for today. As late as last evening was the formal invitation, so called, either confirmed or resubmitted. At that time, there was nothing he could do about that particular scheduling problem.

I think that ought to be cleared up, because I didn't get the impression that Mr. Giuffrida had any reluctance about being here. It is a matter primarily of scheduling.

Mr. GORE. Reclaiming my time, that certainly is not my understanding. My understanding is that he had extreme reluctance to come here and didn't want to come here and didn't want to face the questions about this mismanagement. I want to put in the record the letters of invitation. The first is July 13: "You are hereby requested to appear on Wednesday, August 1, beginning at 9:30 a.m." We followed that up because we never got a formal response. We followed that up on July 20 and reiterated our desire that he be here, and then reconfirmed it yesterday.

He made it clear through informal channels—he never responded formally, but made it clear through informal channels, that he didn't want to answer any questions about this and didn't want to be here. Now, we could have subpoenaed him, but as the gentleman knows, that would have been met with a big fight. We have the option instead of having a second hearing at a later date and issuing a subpoena and requiring him to be here.

But let me just say one more time that I find it incredible that in the face of these kinds of allegations and in the face of an invitation some time ago for him to appear here and to be accountable for what is going on at FEMA while he is in charge, I find it incredible that he would refuse the request of the authorizing committee and the investigations subcommittee of that committee to appear here and answer questions about these charges. But we'll have another hearing and give him an opportunity to come in under a subpoena if that is necessary.

Mr. SKEEN. Mr. Chairman, may I make one more response?

Mr. GORE. Surely.

Mr. SKEEN. I find it also incredible the disparity of information between yourself and me. It may be just an honest disagreement, and I hope that it is, but that is not my information. It has not been the basis of the information all through this proposed hearing time. We can settle this later and get on with it, but I want you to know that what I have portrayed to you about the reluctance or the willingness of the witness to appear is my honest opinion according to the information that I have been given, and it does not at all jive with what you just said. I think we can work that out somewhere along the line amongst ourselves, but it should be settled later.

Mr. GORE. I will be glad to go into it later, if the gentleman likes. We'll simply put these letters in the record. I think they speak for themselves. We have provided copies to the minority at the time they were sent.

[Material to be provided follows:]

DON FUQUA (Fla.), Chairman

ROBERT A. ROE, N.J.
GEORGE E. BROWN, JR., CALIF.
JAMES H. SCHEUER, N.Y.
RICHARD L. OTTINGER, N.Y.
TOM HARKIN, IOWA
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Executive Director
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General Counsel
DAVID S. JEFFERY
Minority Staff Director

July 13, 1984

Honorable Louis O. Giuffrida
Director
Federal Emergency Management Agency
500 C Street, S. W.
Washington, D. C. 20472

Dear Mr. Giuffrida:

In accordance with Rules X and XI of the Rules of the House of Representatives, you are hereby requested to appear before the Subcommittee on Investigations and Oversight at a hearing to be held on Wednesday, August 1, 1984, beginning at 9:30 a.m., in a room to be announced. The hearing will focus on recent management practices at the Federal Emergency Management Agency.

It is also requested that you be accompanied by Mr. Robert Goffus and Mr. John Villella.

Should you have any questions, please feel free to contact either Robert B. Nicholas, Chief Counsel/Staff Director or James Jensen of the Subcommittee staff at 226-3636.

Sincerely,

Albert Gore, Jr.

Albert Gore, Jr.
Chairman
Subcommittee on
Investigations and Oversight

[illegible]

ROBERT A. ROE, N.J.
GEORGE E. BROWN, JR., CALIF.
JAMES H. SCHEUER, N.Y.
RICHARD L. OTTINGER, N.Y.
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Executive Director
ROBERT C. KETCHAM
General Counsel
DAVID S. JEFFERY
Minority Staff Director

July 20, 1984

Honorable Louis O. Giuffrida, Director
Federal Emergency Management Agency
500 C Street, S. W.
Washington, D. C. 20472

Dear Mr. Giuffrida:

The Subcommittee appreciates the cooperative spirit of FEMA as our investigation of alleged management problems at the agency proceeds.

As we understand it, during a meeting with your General Counsel and Congressional Liaison Officer on July 18th, the Subcommittee staff was advised that Messrs. Villella, Goffus and Jett will be present at the hearing on August 1st. We further understand that during that meeting it was stated that although you had a longstanding commitment on that date, you could be available for the hearing, if it was determined that your presence is necessary or appropriate.

However, we now understand that your Congressional Liaison Officer advised our staff yesterday by telephone that, given the present scope of the hearing, it did not look like your presence would be necessary and that a longstanding commitment with a foreign delegation on that date would make your appearance very difficult at the hearing.

In the interest of accommodating the Committee, we would appreciate it if your availability is maintained until a determination is made by the Committee as to the necessity and appropriateness of your presence at the August 1st hearing. We also request at this time that Mr. Frank Payne, Deputy Director of the National Emergency Training Center, be present at the hearing for the purpose of answering any questions the Subcommittee may have.

We look forward to working with you cooperatively on this matter.

Sincerely,

Albert Gore, Jr.

Albert Gore, Jr., Chairman
Subcommittee on
Investigations and Oversight

cc: Honorable Don Fuqua
Honorable Larry Winn
Honorable Joe Skeen

DON FUQUA (Fla.), Chairman

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TOM LEWIS, FLA.

HAROLD P. HANSON
Executive Director
ROBERT C. KETCHAM
General Counsel
DAVID S. JEFFERY
Minority Staff Director

July 31, 1984

Honorable Louis O. Giuffrida
Director, Federal Emergency
  Management Agency
500 C Street, SW
Washington, D.C.   20472

Dear Mr. Giuffrida:

The purpose of this letter is to reconfirm my request made on July 13, 1984 that you appear before the Subcommittee on Investigations and Oversight on August 1, 1984 to answer questions concerning alleged mismanagement and misconduct at FEMA.

Investigations conducted by Subcommittee staff, by the General Accounting Office, and by FEMA's Inspector General reveal a pattern of misconduct by some of the most senior FEMA officials. The substantiated allegations raise questions about the management, fiscal accountability, and integrity of NETC specifically, and FEMA generally. Specific questions have been raised as well about the role of the FEMA Director in several of the areas of concern. Given the wide scope of the demonstrated irregularities and the many unanswered questions about the actions and responsibility of the top FEMA management, the Subcommittee strongly believes that your presence at the August 1st hearing is essential.

As you know, Committee Rules require that testimony of witnesses be submitted in advance of the hearing. We understand that formal statements have been prepared by your Agency witnesses and would appreciate receiving them as early as possible.

We appreciate your cooperation and look forward to receiving FEMA's prepared statements and to your appearance at the hearing.

Sincerely,

Albert Gore, Jr.
Albert Gore, Jr.
Chairman, Subcommittee on
  Investigations and Oversight

cc: Honorable Don Fuqua
    Honorable Larry Winn
    Honorable Joe Skeen

Mr. GORE. Now, let's proceed with who is here.

Mr. Fred J. Villella, Associate Director of Training and Fire Programs, with the National Emergency Training Center.

Mr. Murray, you are excused at this time. Thank you very much, and thanks to all of the others who participated in that panel.

Mr. Frank Payne, Assistant Associate Director for Training and Fire Programs, National Emergency Training Center; Mr. Robert Goffus, inspector general with FEMA; and Mr. George Jett, general counsel with FEMA.

Mr. JETT. Mr. Chairman, I am George Jett, the general counsel of FEMA. Let me just quickly introduce the panel, if I may. On my far right is Mr. Frank Payne. On my immediate right is Mr. Fred Villella. On my immediate left is Robert Goffus, our inspector general.

Mr. GORE. Mr. Jett, do you appear as counsel to these witnesses, or do you appear as a witness yourself?

Mr. JETT. I appear as a witness, if the panel would ask me questions. I appear in my capacity as general counsel of the Agency.

Mr. GORE. Fine. Do any of the witnesses desire counsel?

[The witnesses shook their heads negatively.]

Mr. GORE. I would note for the record that the rules of the House and the rules of the committee are before you.

Do any of you have objection to being sworn in?

Mr. JETT. We have no objection to being sworn in. We do take note of the discussion that you and Mr. Skeen had with regard to the questions that might be asked Mr. Villella, and we will be watchful of those, if we may, Mr. Chairman.

Mr. GORE. Would you all stand and raise your right hand?

[The witnesses were sworn en bloc.]

Mr. GORE. Mr. Jett, because of your last comment, I feel it is necessary to note one matter. That is, if you are appearing as a witness, you are a witness and will respond to questions, and that will preclude you from serving as personal counsel and advising the other members of the panel. If you desire to appear as counsel, then that is a different matter. But if you are here as a witness, then they have the right to consult with other counsel as they so wish. But I don't want you speaking up as the lawyer for the other witnesses at this panel here because that's not the function you are playing here.

Mr. JETT. May I respond, Mr. Gore?

Mr. GORE. Sure you can.

Mr. JETT. The witnesses have brought no counsel with them. We discussed that with the majority staff as to what we might do, and with the minority staff, and what our understanding of this hearing would be. We are prepared to proceed without counsel. I do understand my role as general counsel of the Agency.

Mr. GORE. I do, indeed, but I don't want to get you in an awkward situation of interposing your own responses for questions that we are asking to the other witnesses and playing the role of lawyer to the witnesses, because you are yourself a witness. I simply want that to be clear.

Mr. JETT. I understand my restriction, Mr. Chairman.

Mr. GORE. Thank you. Now, Mr. Villella, I believe you have a prepared statement. You are invited to present that at this time.

TESTIMONY OF FRED J. VILLELLA, ASSOCIATE DIRECTOR, TRAINING AND FIRE PROGRAMS, NATIONAL EMERGENCY TRAINING CENTER, FEDERAL EMERGENCY MANAGEMENT AGENCY; FRANK PAYNE, ASSISTANT ASSOCIATE DIRECTOR, TRAINING AND FIRE PROGRAMS, NETC; ROBERT GOFFUS, INSPECTOR GENERAL, FEMA; GEORGE JETT, GENERAL COUNSEL, FEMA; SUE DOWNIN, PROGRAM COORDINATION ASSISTANT, NETC; AND DUANE MURRAY, ASSISTANT FACILITIES DIRECTOR, NETC

Mr. VILLELLA. Thank you, Mr. Chairman and members of the committee. I am compelled to say at this time that I have thoroughly been discussed this morning by the press release and allegations. These allegations are most damaging to me, my family, and my reputation. I welcome the opportunity to address these allegations and clear the record. I would like to briefly summarize my statement, which we have presented for the record, as I feel that some of those introductions are important to the broad areas which the committee would want to address.

Mr. GORE. Without objection, we will put the entire text of your prepared statement in the record and you can proceed as you see fit.

Mr. VILLELLA. Thank you, sir. The National Emergency Training Center is a young activity in the Federal Government. I am motivated to share with you some of the significant phases experienced through the evolution and growth of that Center. Our goal was and remains to initiate programs at the national level to increase the state of preparedness at every level of government, to provide for predictable, coordinated, effective, and acceptable response to emergencies, irrespective of cause or order of magnitude.

We, in developing that Center, soon identified the need to build the mechanisms necessary to develop, test, deliver, monitor, and evaluate these training and fire programs. Every conceivable mechanism had to be constructed: budget, management, administrative, and personnel, classrooms, dormitories, office space, food service, facility support, and training equipment. As you have already heard, the facility which was purchased in 1979 was essentially a closed down former women's college.

The absence of the systems necessary to develop and deliver our programs dictated the concurrent construction of delivery mechanisms and training programs. Superimposed on the tasks associated with the development of the programs was a phenomenon we referred to as a little bit of turf sensitivity. Our Agency is comprised, as you know, of five previously independent Government entities, each with its own mission, each with its own methods, and procedures. While these independent entities had related missions, they were, nonetheless, competitors. It became increasingly necessary to reorient some of the managers and supervisors of the predecessor activities.

There have been new, expanded audiences and expanded, diversified disciplines participating in the training programs. We were training, in the past, parochial audiences separately. We applied, in the growth of our programs, the philosophy that those who must respond to an emergency together should plan together, and the best way to achieve that was by training together. The vast majority of our people have genuinely and enthusiastically supported the new program direction. It became readily apparent during the growth process, we would need additional people to facilitate the new programs and administrative mechanisms to deliver.

When it was decided in May 1981 to establish a National Emergency Training Center, it was difficult to envision the extent of the need for training from across the country. After 3 years, the Center's student attendance has increased from 2,000 per year to 10,000 each year in resident training, and from 80,000 to 180,000 in field training. In 3 years, a once marginally active National Fire Academy has realized a hundredfold increase. During this same period, a relocated Emergency Management Institute has expanded from zero students in 1980 to 4,000 plus in 1984. Also, a new Senior Executive Policy Center has been established to serve as a forum for public and private-sector disciplines to address emergency management issues. Finally, we have directed the programmatic growth in fire programs which we believe will effect the saving of more lives and greater reduction of property losses than in previous years.

In 1981, there was no National Emergency Training Center. We began by borrowing people from the Emergency Management Institute, the National Fire Academy, and FEMA, our parent agency. Personnel for technical services, food services, communication, security, transportation, classroom support were obviously immediate needs. Later, the U.S. Fire Administration was reorganized and relocated, with authorized fire administration programs maintained with a 50-percent reduction in program staff.

As Associate Director, it was necessary for me to maintain two offices, one at the Center in Emmitsburg and one in Washington for over 2 years. I now have the additional designated responsibility as the Executive Deputy Director of FEMA. With these additional duties, it has been necessary to establish a new management team at Emmitsburg, with two Deputy Associate Directors, one for training and fire activities and the other for the management of the Center.

We are continuing to make improvements with this new organization. I understand your concerns about the effective use of public funds. I share those concerns, and I would offer two general observations. First, we have concentrated on management policy emphasis in those areas of greatest interest and significance to this committee. We have worked closely with the Science and Technology Subcommittee. Together, progress has been made in improving emergency preparedness through new technology and training, in reducing the loss of life from fire and other natural hazards, by expanding the training audience, and in offering executive-level training for the emergency manager, fire chief, and others.

We feel our greatest achievements are in the application of technology to local problems in life safety. We believe that our efforts have contributed significantly to the reduction of lives lost from fires. Preliminary 1983 statistics indicate that the problem of fire-related deaths is being addressed. Of particular note is the reduction in firefighter deaths from 122 in 1982 to 106 in 1983, the lowest since 1977. We have initiated microcomputer training, computer-applications-to-management training, operational firefighter applications, and expanded the audience through the addition of satellite communications.

We are proud, as well, of the tribute paid to fallen firefighters through the establishment, in October 1981, of a National Fallen Firefighter Memorial and annual memorial service. We hope we have raised public consciousness to the selfless contribution of firefighters to these efforts.

The second observation addresses our growth; we have not been perfect. With our new training and fire programs, we have experienced growing pains. In that context, and in response to the committee's concerns, the Director of the Agency ordered an investigation by FEMA's Office of the Inspector General. The inspector general's findings indicated that we have overlooked some administrative procedures, while shaping the NETC's programs of national concern and significance. The training center is a "melting pot" of emergency management, fire, government, industry, and the volunteer sectors. It has even greater potential for the future.

Mr. Chairman, I have served my country for nearly a quarter of a century, as both a soldier and a Government official. I am extremely proud of my record. The alleged oversights on my part have been reviewed by the Office of the Inspector General, and I have tendered personal checks to his office addressing each discrepancy, as I understand them in full. I submit for the record, which has been furnished to the committee, the record of accomplishments of the National Emergency Training Center for these past 3½ years. They also have been forwarded to the States and other Members of Congress.

Excerpts from this report show that during these past 3 years, we have trained 87 percent more government officials, Federal, State, local, industry, and volunteers than was done in the preceding decade, with only an 18-percent increase in resources. Additionally, we have conducted emergency management training in local areas that were facing potential problems. Let us be judged, Mr. Chairman and members of the committee, on our record of achievements. We have made progress. We ask your continued cooperation and support as we work together to serve our mandate.

I would like to add, Mr. Chairman, one final comment based on the last dialog. We are equally very proud of the members of the family at the National Emergency Training Center. They have worked deliberately, in a distinguished manner. They have been frustrated during the growth pains. We are proud of the work that they have accomplished. They are dedicated and honest people. We appreciate their concerns, and we appreciate them.

Mr. Chairman, I would be delighted to attempt to answer as many questions as possible.

[The prepared statement and materials of Mr. Villella follow:]

STATEMENT BY
HONORABLE FRED J. VILLELLA
EXECUTIVE DEPUTY DIRECTOR
FEDERAL EMERGENCY MANAGEMENT AGENCY
AND
ASSOCIATE DIRECTOR
TRAINING AND FIRE PROGRAMS

BEFORE THE
SUBCOMMITTEE ON INVESTIGATIONS AND OVERSIGHT
OF THE
COMMITTEE ON SCIENCE AND TECHNOLOGY
U.S. HOUSE OF REPRESENTATIVES
AUGUST 1, 1984

THE NATIONAL EMERGENCY TRAINING CENTER IS A VERY YOUNG ACTIVITY IN THE FEDERAL GOVERNMENT. I AM MOTIVATED TO SHARE WITH YOU SOME OF THE SIGNIFICANT PHASES EXPERIENCED THROUGH THE EVOLUTION OF THE CENTER. OUR GOAL WAS, AND REMAINS, TO INITIATE PROGRAMS AT THE NATIONAL LEVEL TO INCREASE THE STATE OF PREPAREDNESS AT EVERY LEVEL OF GOVERNMENT AND TO PROVIDE FOR PREDICTABLE, COORDINATED, EFFECTIVE AND ACCEPTABLE RESPONSE TO EMERGENCIES IRRESPECTIVE OF CAUSE OR ORDER OF MAGNITUDE. WE SOON IDENTIFIED THE NEED TO BUILD THE MECHANISMS NECESSARY TO DEVELOP, TEST, DELIVER, MONITOR AND EVALUATE THESE TRAINING PROGRAMS. EVERY CONCEIVABLE MECHANISM HAD TO BE CONSTRUCTED. BUDGET, MANAGEMENT, ADMINISTRATIVE AND PERSONNEL, EXPERTISE, CLASSROOM, DORMITORY AND OFFICE SPACE, FOOD SERVICE, FACILITY SUPPORT, TRAINING EQUIPMENT, ETC.

THE ABSENCE OF THE SYSTEMS NECESSARY TO DEVELOP AND DELIVER OUR PROGRAMS DICTATED THE CONCURRENT CONSTRUCTION OF THE DELIVERY MECHANISMS AND THE TRAINING PROGRAMS. SUPERIMPOSED ON THE OBVIOUS TASKS ASSOCIATED WITH THE DEVELOPMENT OF THE PROGRAMS AND THE MECHANISMS TO ADMINISTER THE PROGRAMS, WAS A PHENOMENON I REFER TO AS "TURF SENSITIVITY". OUR AGENCY IS COMPRISED, AS YOU KNOW, OF FIVE PREVIOUSLY INDEPENDENT GOVERNMENT ENTITIES. EACH WITH ITS OWN MISSION, EACH WITH ITS OWN METHODS AND PROCEDURES. WHILE THESE INDEPENDENT ENTITIES HAD RELATED MISSIONS AND FUNCTIONS THEY WERE, NONETHELESS, COMPETITORS. IT BECAME INCREASINGLY NECESSARY

TO RE-ORIENT SOME OF THE MANAGERS AND SUPERVISORS OF THE PREDECESSOR ACTIVITIES TO INSURE A COMMON UNDERSTANDING OF THE GOALS AND FUNCTIONS OF THE NATIONAL EMERGENCY TRAINING CENTER, AND THE NEW AND EXPANDED AUDIENCE OF DIVERSIFIED DISCIPLINES. IN THAT PROCESS, THE VAST MAJORITY OF OUR PEOPLE HAVE GENUINELY AND ENTHUSIASTICALLY SUPPORTED THE NEW PROGRAM DIRECTION. AT THE SAME TIME, A LIMITED NUMBER OF OUR PEOPLE PREFERRED TO CLING TO THE "GOOD OLD DAYS", THE OLD MISSIONS AND FUNCTIONS.

IT BECAME READILY APPARENT WE WOULD NEED ADDITIONAL PEOPLE TO FACILITATE THE NEW PROGRAMS AND MECHANISMS TO DELIVER THE PROGRAMS.

WHEN IT WAS DECIDED IN MAY, 1981 TO ESTABLISH A NATIONAL EMERGENCY TRAINING CENTER, IT WAS DIFFICULT TO ENVISION THE EXTENT OF THE NEED FOR TRAINING FROM ACROSS THE COUNTRY. IN THREE YEARS, THE CENTER'S STUDENT ATTENDANCE HAS INCREASED FROM TWO THOUSAND TO TEN THOUSAND IN RESIDENT TRAINING PROGRAMS, AND FROM EIGHTY (80) THOUSAND TO ONE HUNDRED EIGHTY (180) THOUSAND STUDENTS IN FIELD TRAINING PROGRAMS [WITH A BUDGET INCREASE FROM $19.3M TO $35.2M]. IN THREE YEARS, A ONCE MARGINALLY ACTIVE NATIONAL FIRE ACADEMY HAS REALIZED A 100 FOLD INCREASE IN STUDENT ATTENDANCE. DURING THIS SAME PERIOD, A RELOCATED EMERGENCY MANAGEMENT INSTITUTE HAS EXPANDED FROM NO STUDENTS IN 1980 TO 4,000 IN 1984. ALSO, A NEW SENIOR EXECUTIVE POLICY CENTER HAS BEEN ESTABLISHED TO SERVE AS A FORUM FOR PUBLIC AND PRIVATE

SECTOR DISCIPLINES TO ADDRESS EMERGENCY MANAGEMENT ISSUES. FINALLY, WE HAVE DIRECTED THE PROGRAMMATIC GROWTH IN FIRE PROGRAMS WHICH WE BELIEVE WILL EFFECT THE SAVINGS OF MORE LIVES AND THE GREATER REDUCTION IN PROPERTY LOSSES THAN IN PREVIOUS FIRE PROGRAMS.

IN 1981, THERE WAS NO NATIONAL EMERGENCY TRAINING CENTER. WE BEGAN BY BORROWING PEOPLE FROM THE EMERGENCY MANAGEMENT INSTITUTE, THE NATIONAL FIRE ACADEMY AND OUR PARENT AGENCY, THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA). PERSONNEL FOR TECHNICAL SERVICES, FOOD SERVICE, COMMUNICATIONS, SECURITY, TRANSPORTATION, AND CLASSROOM SUPPORT WERE OBVIOUSLY IMMEDIATE NEEDS. LATER, THE UNITED STATES FIRE ADMINISTRATION WAS REORGANIZED AND RELOCATED FROM WASHINGTON, D.C. TO NETC. AUTHORIZED USFA PROGRAMS WERE MAINTAINED WITH A 50 PERCENT REDUCTION IN PROGRAM STAFF.

AS ASSOCIATE DIRECTOR, IT WAS NECESSARY FOR ME TO MAINTAIN TWO OFFICES, ONE IN EMMITSBURG AND ONE IN WASHINGTON, FOR OVER TWO YEARS. I NOW HAVE THE ADDITIONAL DESIGNATED RESPONSIBILITY AS THE EXECUTIVE DEPUTY DIRECTOR OF FEMA. WITH THESE ADDITIONAL DUTIES, IT HAS BEEN NECESSARY TO ESTABLISH A NEW MANAGEMENT TEAM AT EMMITSBURG WITH TWO DEPUTY ASSOCIATE DIRECTORS, ONE FOR TRAINING AND FIRE ACTIVITIES, THE OTHER FOR THE MANAGEMENT OF THE CENTER. UNDER THIS NEW MANAGEMENT SYSTEM, WE ARE CONTINUING TO MAKE

IMPROVEMENTS IN THE DAILY OPERATION OF THE CENTER AND IN THE QUALITY OF THE TRAINING OFFERED THERE.

I UNDERSTAND YOUR CONCERNS ABOUT EFFECTIVE USE OF PUBLIC FUNDS. I SHARE THOSE CONCERNS AND I WOULD OFFER TWO GENERAL OBSERVATIONS. FIRST, WE HAVE CONCENTRATED OUR MANAGEMENT AND POLICY EMPHASIS IN THOSE AREAS OF GREATEST INTEREST AND SIGNIFICANCE TO THIS COMMITTEE. WE HAVE WORKED CLOSELY WITH CONGRESSMAN WALGREN AND HIS SUBCOMMITTEE. TOGETHER, PROGRESS HAS BEEN MADE: IN IMPROVING EMERGENCY PREPAREDNESS THROUGH NEW TECHNOLOGY AND TRAINING; IN REDUCING THE LOSS OF LIFE FROM FIRE AND OTHER NATURAL HAZARDS BY EXPANDING THE TRAINING AUDIENCE; AND, IN OFFERING EXECUTIVE-LEVEL TRAINING FOR THE EMERGENCY MANAGER AND FIRE CHIEF. WE FEEL OUR GREATEST ACHIEVEMENTS ARE IN THE APPLICATION OF TECHNOLOGY TO LOCAL PROBLEMS AND LIFE SAFETY.

WE BELIEVE THAT OUR EFFORTS HAVE CONTRIBUTED SIGNIFICANTLY TO THE REDUCTION OF LIVES LOST FROM FIRES. PRELIMINARY 1983 STATISTICS INDICATE THAT THE PROBLEM OF FIRE-RELATED DEATHS IS BEING ADDRESSED. OF PARTICULAR NOTE, IS THE REDUCTION IN FIREFIGHTER DEATHS FROM 122 IN 1982 TO 106 IN 1983, THE LOWEST SINCE 1977.

WE ALL RECOGNIZE THAT WE ARE LIVING IN A WORLD OF CHANGING TECHNOLOGIES. WE HAVE INITIATED MICROCOMPUTER TRAINING, COMPUTER

APPLICATIONS TO MANAGEMENT TRAINING EXERCISES, AND OPERATIONAL FIREFIGHTING APPLICATIONS. WE HAVE EXPANDED OUR AUDIENCE THROUGH THE ADDITION OF SATELLITE COMMUNICATIONS AND TELECONFERENCES WHICH HAVE REACHED THOUSANDS ACROSS THE NATION.

OUR EXPANDED EMERGENCY MANAGEMENT EXERCISE TRAINING HAS BROUGHT KEY LEADERS FROM THROUGHOUT THE NATION TO THE NETC CAMPUS AND TO FIELD TRAINING PROGRAMS. WE ARE VERY PROUD OF THE TRIBUTE PAID TO FALLEN FIREFIGHTERS THROUGH THE ESTABLISHMENT OF A NATIONAL FALLEN FIREFIGHTERS MEMORIAL AND ANNUAL MEMORIAL SERVICE. WE HOPEFULLY HAVE RAISED PUBLIC CONSCIOUSNESS OF THE SELFLESS CONTRIBUTIONS OF FIREFIGHTERS THROUGH THESE EFFORTS.

THE SECOND OBSERVATION ADDRESSES OUR GROWTH. WE HAVE NOT BEEN PERFECT. WITH OUR NEW TRAINING PROGRAMS, WE HAVE EXPERIENCED GROWING PAINS. IN THAT CONTEXT, AND IN RESPONSE TO THIS COMMITTEE'S CONCERNS, THE DIRECTOR OF THE AGENCY ORDERED AN INVESTIGATION BY FEMA'S INSPECTOR GENERAL. THE IG'S FINDINGS INDICATED WE MAY HAVE OVERLOOKED SOME ADMINISTRATIVE PROCEDURES WHILE SHAPING NETC'S PROGRAMS OF NATIONAL CONCERN AND SIGNIFICANCE. THE TRAINING CENTER IS THE MELTING POT OF EMERGENCY MANAGEMENT, FIRE, GOVERNMENT, INDUSTRY AND THE VOLUNTEER SECTOR. ITS POTENTIAL FOR THE FUTURE IS UNLIMITED.

Mr. Chairman, I have served my country for nearly a quarter of a century, as both a soldier and a government official. I am extremely proud of my record. The alleged oversights on my part have been reviewed by the IG and I have tendered personal checks to his office, addressing each discrepancy in full.

I submit for the record the NETC Accomplishment Report, which has been forwarded to Congress and the 50 states by way of the State Directors of Emergency Services and the State Fire Officials.

Excerpts from this report show that during these past 3 years we have trained more (87% more) government officials, Federal, State and local, industry and volunteers, than was done in the preceding 10 years with only an 18% (adjusted for inflation) increase in the budget.

Additionally, we have conducted emergency management training courses in local areas and for specific cities such as New Orleans, Los Angeles, Dallas and San Francisco, places where major public events were or are planned.

Let us be judged on our record of achievement. We have made progress. We ask your continued cooperation and support as we work together to achieve our mandate.

Mr. GORE. Thank you. We have a vote on the floor. We will go on for about 5 minutes, and then we will have a short recess.

Mr. Goffus, do you have a statement for the record?

Mr. GOFFUS. Yes, sir.

Mr. GORE. Without objection, we will insert that in the record at this point.

[Material referred to follows:]

STATEMENT FOR THE RECORD OF
ROBERT C. GOFFUS, INSPECTOR GENERAL
FEDERAL EMERGENCY MANAGEMENT AGENCY
FOR THE
SUBCOMMITTEE ON SCIENCE AND TECHNOLOGY
HOUSE OF REPRESENTATIVES
AUGUST 1, 1984

Good morning Mr. Chairman. I appreciate the opportunity to appear before you and would like to submit the following statement for the record prior to answering any questions you may have.

This coming February I will have thirty (30) years of Federal service. For approximately twenty (20) of those 30 years, I have been in the audit and investigation professions. The other ten years were spent in the financial management arena as a Comptroller. I therefore am aware of the problems that FEMA has had over the past few years and the findings of the GAO contained in their baseline audit of FEMA.

When I assumed the Inspector General position, Mr. Gore, I was aware that expansion of FEMA programs over the past few years, coupled with limited Inspector General's resources, had resulted in a number of activities not being fully audited to determine their efficiency in terms of how their resources are allocated or whether their effectiveness in terms of objectives were achieved.

With the full support of the Director, I conducted a review to determine the Inspector General organization's capacity to carry out new objectives to ensure that FEMA operations would be adequately assessed. GAO reports, IG goals, and staffing were reviewed. A study of audit workload requirements was also conducted. That study showed that, at the outset, over 42 professional auditor staff years would be required in order to do a thorough review of FEMA programs and activities. It was also clear that a change in direction would be necessary given GAO findings and the fact that we were only authorized somewhat better than half the number of auditors required. The changes required a shift in priorities and resources to accomplish our mission. I proposed and the Director approved, the following shifts in priorities, organizational structure, and use of resources:

- -- Consolidation of ten (10) Regional Audit Officers into three (3) Inspector General Districts.
- -- Increase and realignment of headquarters staff available to perform audits and special projects (achieved by restaffing within available FTE).
- -- A shift in emphasis from performing external audits to performing internal audits.
- -- Increase utilization of disaster reservists auditors, contractors, and FEMA staff.

Prior to my becoming the Inspector General, emphasis was placed on audits of the recipients of FEMA funds. Very little attention was given to internal audits of financial operations; legal and/or program compliance; program results or efficiency and economy of operations; areas vital to the Agency's management improvement efforts.

As an example, in FY 82, approximately 4,200 staff days were devoted to external audits while only 1,500 days were spent on internal audit matters. In FY 83, we devoted 2,400 days to external audits and 3,300 days to internal matters.

In FY 83, reflecting this Administration's commitment to reduce waste and fraud in federal programs, efforts were made to identify and curb abuse. Special audit emphasis was placed on FEMA procurement policies, procedures, and priorities and the FEMA accounting system. We concentrated primarily on financial and administrative systems identified in the GAO baseline report. A procurement survey was completed late in the fiscal year. Management utilized that report to identify areas to be studied as part of FEMA's vulnerability assessment process in accordance with the Financial Managers Integrity Act and OMB Circular A-123. As a result of that process, the National Emergency Training Center contracting practices were identified as an area for further review.

Top priority was also given to audits of assistance provided under the Federal Disaster Assistance Program and criminal investigations involving specific allegations of fraud in FEMA programs. Results of these efforts included:

- -- The number of internal audits performed on FEMA programs and operations nearly tripled in 1983;
- -- Seventy-eight audits involving $12,516,620 in disaster Assistance Program funds were completed;

- A major conspiracy to defraud the Federal Crime Insurance Program was detected involving $8.8 million. Indictments and convictions of individuals involved were obtained; and
- An investigation involving repeated abuse of the Flood Insurance Program by mobile home owners was conducted. Over $300,000 in overpayments were discovered and more than 30 cases of possible fraud detected as a result of this effort.

My FY 84 priorities were as follows:

- Audits of Comprehensive Cooperative Agreements in the 50 states. (Initially completed four state audits, FEMA Headquarters and three Regional Offices, 6/15/84).
- Internal Audits throughout FEMA (started audit of unliquidated obligations in four FEMA Regional Offices).
- External Audits:
    - Disaster Assistance Program (major audits in progress: Puerto Rico, Love Canal, Chicago Snowstorm);
    - Superfund/Time Beach; and
    - Emergency Food and Shelter Program.
- Investigations:
    - New York Crime Insurance Claim frauds;
    - Mississippi Flood Insurance Claim frauds;
    - Chicago Flood Insurance Claim frauds; and
    - Wrongdoing by FEMA employees.
- Auditor/Investigator Training Program.

These priorities have been adjusted somewhat since March as a result of allegations of wrongdoing made by a FEMA employee. As a result of these allegations, I have given top audit priority to a number of FEMA procurement activities. Procurement was formerly our fourth audit workload priority and we have completed a survey of these activities.

I assigned two investigators and two auditors on a full time basis to look into these allegations. In addition I have devoted a considerable amount of my time to this matter, as has our support staff.

Thus far, we have issued two reports covering our review. These reports contain the evidence developed concerning the allegation that an employee was removed from her contract responsibilities because of "whistleblower" activities; evidence developed during preliminary audit work on alleged violations of procurement regulations; and, evidence developed concerning alleged misuse of Government vehicles and other improper activities. Investigation of these allegations will lead to more audit work.

We are continuing our audit efforts into various aspects of FEMA procurement activities, concentrating on matters contained in the allegations. It will take considerable audit effort to resolve these issues, including drawing conclusions and making appropriate recommendations. As of June 30, 1984, the Office of Inspector General has utilized approximately 115 staff days to these allegations at a considerable cost. Initially, we are concentrating on auditing several consultant services contracts. We are also looking at other major FEMA contracts in headquarters and the field.

The Director has given full support to my efforts to improve the Inspector General function within the Agency. At no time has he ever interfered with the conduct of an audit or investigation, nor has he ever told me not to pursue a matter that any of my staff felt worthy of inquiry. His support is most visible in the fact that my staff over the past 16 months has grown from 29 professionals and 3 clericals to 35 professionals and 7 clericals. An increase of approximately one-third.

Mr. GORE. Mr. Payne, do you have a statement?

Mr. PAYNE. I do not, sir.

Mr. GORE. Mr. Jett, do you have a statement?

Mr. JETT. No, sir.

Mr. GORE: All right.

Mr. Villella, you said during your testimony that you tendered personal checks to the Government. Who did you give them to?

Mr. VILLELLA. Mr. Chairman, I furnished those to the Office of the Inspector General.

Mr. GORE. When?

Mr. VILLELLA. I have done that within the past 2 or 3 weeks, as a consequence of the information provided to me by the results of the inspector general's investigation.

Mr. GORE. Mr. Goffus, when were those checks given to you?

Mr. GOFFUS. At various time, sir, the majority of them in the last week.

Mr. GORE. Could you give us the dates and amounts?

Mr. GOFFUS. I do not have the dates.

Mr. GORE. But most of them were within the last week, within the last few days?

Mr. GOFFUS. Yes, sir. I did not bring the checks with me. I just simply prepared a schedule as to what they were, as to what they covered, what they reimbursed. For example, I got a reimbursement for Michelle Jackson's time. Michelle Jackson was a contractor employee that worked on Mr. Villella's daughter's wedding, sir.

Mr. GORE. How much was that?

Mr. GOFFUS. That was $50. I got reimbursed for two parking tickets that came out of an audit of a brown envelope.

Mr. GORE. That is the "brown bag fund" that we are going to get into a little bit later?

Mr. GOFFUS. Yes, sir.

Mr. GORE. That hasn't come up yet, but we are going to get into that.

Mr. GOFFUS. I need to tell you that there were two parking tickets in there, and I will explain that later when you ask.

Mr. GORE. There was also a medical bill in there.

Mr. GOFFUS. I got the $20 for that, and I have a cancelled check for the medical bills; sir.

I have a check for transportation and for Mrs. Peresada's time. For Mrs. Peresada's time, it's for $189.60. For the use of the auto, it was $44.80, for $237.66.

Mr. GORE. Wait a minute. First of all can you provide a copy of this to the subcommittee?

Mr. GOFFUS. Yes, sir, but before I do, I would like to qualify this, sir. These charges came from an investigative report. There were no recommendations; we don't recommend in an investigative report. I would be delighted to give you this, sir. However, I want you to understand that it is not yet verified. Out of those investigative reports will come numerous other audits. I need to look at all of the data that backed this up.

Mr. GORE. Just as an example, we heard testimony that Sergeant Peresada performed personal chores for a period of 2 years in connection with her employment there, and he has paid $189 for that?

Mr. GOFFUS. Yes, sir.

Mr. GORE. That's a real bargain.

Mr. GOFFUS. I can't say, sir. I have not seen the verification. I have not verified what backs this up. Until I verify what backs it up, I cannot comment on it, other than I have a check.

Mr. GORE. What is the total of the checks that have been paid?

Mr. GOFFUS. $1,263.05. They cover, if I might, please, transportation for Ms. Peresada's time, the use of the auto, they cover trips to the laundry, trips to the bank, trips to the dentist, trips for eyeglass repair, trips to pharmacy, trips to doctor, and trips for housecleaning.

I am sorry, sir; I just noticed something else here. Each one of these includes Ms. Peresada's time. So if I were to add up Ms. Peresada's time, it would be $189.60 for the use of the auto from Waverly Gardens, it would be $189.36 on trips to the laundry, it would be $47.37 on the trips to the bank, it would be $23.70 on the trips to the dentist, $7.90 on the trips for eyeglass repair, $39.50 for the trips to the pharmacy, $49.97 for the trips to the doctor, and $59.25 for the trip for the housecleaner.

Mr. GORE. We are going to recess briefly for the vote. During the recess, if you would, provide that to the subcommittee staff. We will pick up the questions there when we come back. We will recess for approximately 8 or 9 minutes.

[Recess taken.]

Mr. GORE. The subcommittee will come back to order. I apologize for the delay. We had two votes in a row. That was final passage on a major bill that has been under consideration. We should have some free time now.

We had just started questioning Mr. Villella and Mr. Goffus. I believe you have provided that list to the subcommittee at this point, Mr. Goffus; is that right?

Mr. GOFFUS. Yes, sir.

CHECKS PAID BY F. J. VILLELLA

DATE	CHECK #	PAYEE	AMOUNT	PURPOSE
19 July 84	416	FEMA	$ 772.00	Quarters
28 Mar 83	1986	Servomation	2,048.18	Wedding Reception, Sat Lunch, Sun. Breakfast
28 Oct 82	140	Royal Formal	552.70	
2 Nov 82	289	Jim Weaver	50.00	Wedding
30 Oct 82	278	Ted Clark	325.00	Wedding Band
28 Oct 82	283	Productions Unlimited	35.00	Ted Clark Combo
2 Nov 82	288	FEMA	75.00	Accommodations Wedding
	138	SAAHS	450.00	TV File Wedding
			4,277.88	

F. J. Villella

PAYABLE TO U.S. TREASURY (7-30-84)

Reimbursement:

MICHELLE JACKSON		50.00	CHECK # 458
PARKING TICKETS		20.00	
Transport - Waverley Gardens		$ 234.40	
Ms. Peresada's Time	$189.60		
Use of Auto	44.80		
Trips to Laundry		237.66	
Ms. Peresada's Time	189.36		
Use of Auto	48.30		
Trips to Bank		48.35	CHECK 452
Ms. Peresada's Time	47.34		
Use of Auto	1.01		
Trips to Dentist		26.50	
Ms. Peresada's Time	23.70		
Use of Auto	2.80		
Trips for Eyeglass Repair		9.30	
Ms. Peresada's Time	7.90		
Use of Auto	1.40		
Trips to Pharmacy		41.87	
Ms. Peresada's Time	39.50		
Use of Auto	2.37		
Trips to Doctor		51.37	
Ms. Peresada's Time	49.97		
Use of Auto	1.40		
Trip for House Cleaning		68.35	
Ms. Peresada's Time	59.25		
Use of Auto	9.10		
Telephone Usage		205.25	# 454
Lodging at NETC		270.00	# 453
		$1263.05	

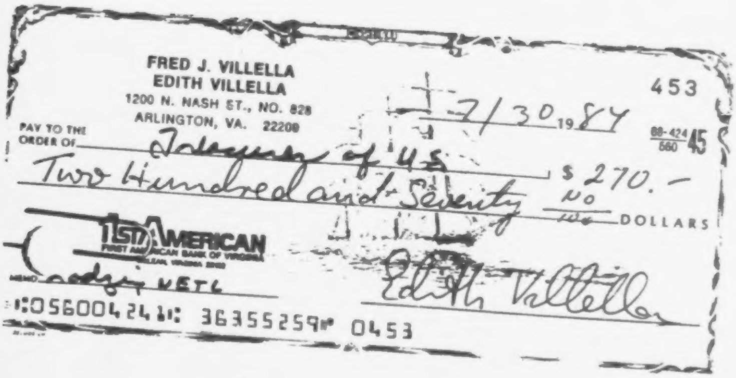
PAYABLE TO OTHERS (7-30-84)

LODGING		
MARRIOTT - L.A., CA	150.00	# 457
DEL CORONADO HOTEL - SAN DIEGO, CA.	198.00	# 456
	$ 348.00	

[redacted]

Lodging at NETC

Owes $270.00 for period of June 8 thru July 31, 1981, which was not included in the $772 billing from Mr. Murray. (54 nights @ $5 = $270)



FRED J. VILLELLA
EDITH VILLELLA
1200 N. NASH ST., NO. 828
ARLINGTON, VA. 22209

453

7/30 19 84

88-424/560 45

PAY TO THE ORDER OF Treasury of U.S. $ 270.-

Two Hundred and Seventy no/100 DOLLARS

1st AMERICAN
FIRST AMERICAN BANK OF VIRGINIA

MEMO Lodging NETC

Edith Villella

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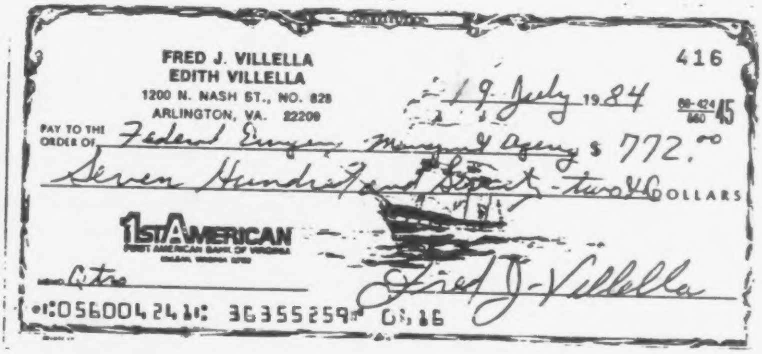

FRED J. VILLELLA
EDITH VILLELLA
1200 N. NASH ST., NO. 828
ARLINGTON, VA. 22209

416

19 July 19 84

88-424/560 45

PAY TO THE ORDER OF Federal Emergency Management Agency $ 772.00

Seven Hundred and Seventy-two & 00 DOLLARS

1st AMERICAN
FIRST AMERICAN BANK OF VIRGINIA

MEMO [illegible]

Fred J. Villella

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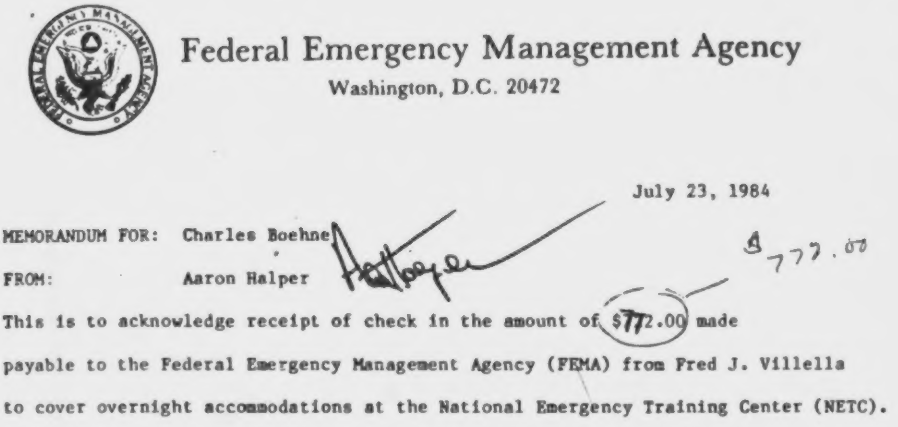


Federal Emergency Management Agency
Washington, D.C. 20472

July 23, 1984

MEMORANDUM FOR: Charles Boehne

FROM: Aaron Halper AHalper

$772.00

This is to acknowledge receipt of check in the amount of $772.00 made payable to the Federal Emergency Management Agency (FEMA) from Fred J. Villella to cover overnight accommodations at the National Emergency Training Center (NETC).

Mr. Gore. The list shows $270 for lodging at the NETC. If I am not mistaken, Mr. Villella, you had been sent bills on a regular basis for a period of years now, and they total, by your own people, $772; is that correct?

Mr. Villella. Mr. Chairman, the bills came as a consequence of my directions. There was no policy that I could find when I arrived out there, and I wanted to be sure that I was billed. There are two bills there: one for $772 and one for $270. The reason I did not satisfy that, the reason it dragged out, if you will, is because I had a question in my mind as to whether or not it was monetarily being punitive to me because of the absence of a policy. There was memoranda between NETC and the general counsel's office that addressed that subject.

Mr. Gore. I don't quite understand that answer. You were sent the bill. Why didn't you pay it?

Mr. Jett. Mr. Chairman, could I just——

Mr. Gore. No. I want an answer from Mr. Villella. You were sent bills at the same rate everybody else paid: $5 a day. The bills amounted to $772. They kept sending you the bills and requesting payment. Why didn't you pay the bills?

Mr. Villella. Mr. Chairman, I stayed at the campus from June 1981 to November 1981, whereupon I moved into Frederick. At the same time that I was assigned to Emmitsburg, I had quarters in Arlington, until September. The point I tried to make was, I wanted to make sure there was a record of the billing, because I had every intention to pay that amount due to the Government at the time that I stayed in the quarters. There was no question in my mind about that, nor anybody else's.

I challenged, however, only the amount so that I would be sure to be properly protected as to my location for my residence. I would have to add to that, if I may, and I do not mean to extend it, that since I was the first director at NETC, and the requirements grew for me to be in Washington as well as in Emmitsburg, I made hundreds of trips back and forth during this 3½ year period. I was not sure as the first director where I should live. My choice was to live closer to Washington, because that is where my wife wanted an appointment; she is a professional in medical administration.

I lived in Frederick for awhile. I moved to Bethesda, which I thought maybe would be halfway between the two, and then finally I moved into Arlington, which turned out to be the best location.

Mr. GORE. I still don't understand, Mr. Villella. You were sent a bill by the Agency that you were running out there for $772, and you didn't pay it until a few days ago, until right in preparation for this hearing. And you still haven't paid it all; right?

Mr. VILLELLA. Mr. Chairman, I think that I have paid it all. I also think that I have paid too much.

Mr. GORE. The bill was for $772; right?

Mr. VILLELLA. In the course of trying to resolve the bills, we think we found two bills: one for $272 and one for $772 or $722—I do not remember exactly.

Mr. GOFFUS. May I chime in, Mr. Chairman, and explain that?

Mr. GORE. Sure.

Mr. GOFFUS. There was one bill for $772. There was a check tendered for the $772 on July 19, 1984.

Mr. GORE. For how much?

Mr. GOFFUS. $772, sir.

Mr. Gore. That one was paid last week?

Mr. GOFFUS. Yes, sir. I have another check, Mr. Chairman, for $270, which is the additional time billed to Mr. Villella from June 8 through July 31, 1981.

Mr. GORE. Wouldn't it have been more prudent, Mr. Villella, as the third-ranking official in charge of this Agency, to pay the money you owed to it without waiting for 3 years and a congressional hearing to force you to pay it?

Mr. VILLELLA. Obviously, Mr. Chairman, in retrospect, the answer to that is yes.

Mr. GORE. Well, why didn't you pay it? I still don't understand your answer. Just give me a simple answer. Why didn't you pay it?

Mr. VILLELLA. I tried to pursue the system and get a response, because there were different responses, as perhaps it was the absence of appropriate legislation——

Mr. GORE. Wait a minute. You got the bill sent to you. Was it your position that you didn't owe the money?

Mr. VILLELLA. No, it was never my position that I did not owe the money.

Mr. GORE. Well, why didn't you pay the money then?

Mr. VILLELLA. Mr. Chairman, I just cannot answer that any better than what I have.

Mr. GORE. But I don't understand what the answer is.

Mr. VILLELLA. I have recognized, I acknowledged the bill. I never said that I would not pay the bill.

Mr. GORE. But you didn't pay it until we had this extensive congressional investigation and scheduled a hearing. Then a couple of days before the hearing, you paid the bill. Why didn't you pay it before? You didn't want to?

Mr. VILLELLA. No, not at all. I always admitted that I owed the bill and I was going to pay the bill.

Mr. JETT. Mr. Chairman, I think I can provide some clarification, if you will allow me.

Mr. GORE. Go ahead, Mr. Jett.

Mr. JETT. The Agency had established a policy with regard to billing people that were at the National Emergency Training Center in student situations, in official capacities, and if they were staying there in other government capacities. Mr. Villella was there many nights.

Mr. GORE. This was his duty station, was it not, Mr. Jett?

Mr. JETT. It was after his nomination and confirmation.

Mr. GORE. It was when he was sent there, was it not?

Mr. JETT. It was his duty station, but he had significant duties back in Washington.

Mr. GORE. Not until November 1983.

Mr. JETT. Our headquarters are in Washington, so Mr. Villella, as an Associate Director, was coming back and forth, as he indicated, quite frequently.

Mr. GORE. This was his duty station. The policy was clear. And you wrote a memo stating that it would be improper for him to be provided with a free residence, free living quarters, under these circumstances, didn't you?

Mr. JETT. The memorandum in October 1981, which I believe you are referring to, which you talked about earlier, is a memorandum that addresses permanent location, and you are absolutely correct. The law does have provisions for a permanent residence.

Mr. GORE. Let me just say for the record that I'm not at all satisfied with your response, Mr. Villella. I think it constitutes poor management practice. You owed the money, and you wouldn't pay the money until we scheduled this congressional hearing. I think that is pretty clear, and your answer is not very clear at all on that point.

Now, going further on the same matter, you, Mr. Payne, issued instructions to stop keeping track of who was making use of these lodging facilities, didn't you?

Mr. PAYNE. Mr. Chairman, I categorically deny that I ever, in writing or verbally, told anyone to stop keeping records of who stayed at the facility. As a matter of fact, we have a computer printout on a weekly basis as to who occupies the rooms. We also have a quarterly report of the students who stay there, and we send to the regional directors and States as to who attends the courses.

Mr. GORE. We had earlier testimony from Duane Murray, who is in charge of administration, that you told Sue Downin to stop keeping records on lodging. Under the direction of Mr. Murray, she continued to keep the records, in spite of your orders, according to this testimony, and you later allegedly lambasted Murray for continuing to keep the records in violation of your instructions; Do you deny that?

Mr. PAYNE. Mr. Chairman, what we are talking about here is the disruptive tactic of the lodging officer, to have to go through security, through the housekeeping people, all the image that something is wrong, to focus on Mr. Villella. That's what we were talking about. Mr. Murray had the right to continue the billing——

Mr. GORE. Mr. Payne, that's not what I asked you. I asked you whether or not you instructed——

Mr. PAYNE. Her to stop keeping records on who stayed there.

Mr. GORE. To stop keeping records on lodging. Did you?

Mr. PAYNE. I did not.

Mr. GORE. I would like to call Ms. Sue Downin up to the witness table, and I'd like to recall Mr. Murray.

Ms. Downin, do you have an objection to being sworn?

Ms. DOWNIN. No, I do not.

[Witness Downin was sworn.]

Mr. GORE. Ms. Downin, tell me your position at FEMA.

Ms. DOWNIN. Right now, I am a program coordination assistant. At this time in question, I was an actual housing coordinator for the housing on the campus.

Mr. GORE. In or about March 1982, were you instructed by Mr. Frank Payne to stop keeping records on lodging?

Ms. DOWNIN. Not the records. I was told to stop actually for the billing of the housing, not to keep any of the records. Who actually stayed there, there are all those records.

Mr. GORE. But you were told to stop sending bills for it?

Ms. DOWNIN. Yes, the billing for that.

Mr. GORE. Mr. Payne, did you tell her to stop sending bills for staying there?

Mr. PAYNE. I told her to stop focusing on the billing for Mr. Villella, and going through this range—because Mr. Murray knew the nights that he was staying there. If he wanted to bill Mr. Villella, he could do so, but not get security, housekeeping——

Mr. GORE. Why did you instruct Ms. Downin to stop sending bills for lodging?

Mr. PAYNE. Not for lodging, for Mr. Villella.

Mr. GORE. For lodging?

Mr. PAYNE. Yes.

Mr. GORE. Why?

Mr. PAYNE. Because Mr. Murray, as the deputy at that time, could do the billing that he wanted, but we did not need that done with the employees and security and housing involved in monitoring that room and focusing on the image that something was wrong to cause problems throughout the facility. That's is why I did that.

Mr. GORE. Mr. Murray, can you explain to me this procedure that Mr. Payne is outlining?

Mr. MURRAY. Yes, sir. The only way we could tell when Mr. Villella actually stayed on the campus—a lot of times he would stay late in the evening, and he had his own key to the room. The only way we could tell whether he stayed on campus was by having the housekeeping crew notify us the next day if he had stayed in the room that night. So the only way we could keep track of his comings and goings in that room was through the staff that actually serviced the room.

Mr. GORE. Do you send bills to people for rooms as part of your normal duties?

Mr. MURRAY. Yes, sir. That is part of the normal housing duties.

Mr. GORE. Do you normally rely on Ms. Downin for help in that regard?

Mr. MURRAY. We did at the time she was working in that office, yes.

Mr. Gore. And you were asked then to make an exception for Mr. Villella and handle the bills yourself? Were you told to send the bills yourself to Mr. Villella?

Mr. Murray. No, sir; I was not. What really happened was, at a staff meeting—I had a conversation with Ms. Downin one day, and I asked her if she was still keeping the records on Mr. Villella. She said no, that Mr. Payne had said do not bill him anymore. I said, "OK. If he has told you not to bill, I still want you to keep the records as to when he actually stays on the campus, because at some point we may want to bill him again."

Mr. Gore. I see. Did Mr. Payne subsequently have an opportunity to become angry that you kept track of Mr. Villella's use of the facilities?

Mr. Murray. He became very angry because I told Ms. Downin to go ahead and continue to maintain records on it. It was several mornings later at a staff meeting, a senior staff meeting, he was very angry. He castigated me: He called me disloyal. He told me I was disruptive and a lot of other things.

Mr. Gore. And there were several witnesses to that; is that correct?

Mr. Murray. Yes, sir; there was.

Mr. Gore. Mr. Payne, why did you get angry about Mr. Murray's decision to keep a record of when Mr. Villella used the facility?

Mr. Payne. We were not focusing at that time on the housekeeping or on the lodging of Mr. Villella.

Mr. Gore. What do you mean you were not "focusing" on it? It sounds to me like you just decided to save your friend some money.

Mr. Payne. That is not true, sir.

Mr. Gore. What other explanation is there for it?

Mr. Payne. The explanation is that we were trying to run a facility out there and keep it going, doing all these programs that we talked about.

Mr. Gore. Did Mr. Villella instruct you to stop sending him bills?

Mr. Payne. Mr. Villella did not instruct me or discuss that matter with me, nor did I with him.

Mr. Gore. Mr. Villella, did you become curious when you stopped getting these bills? Was this done with or without your knowledge, Mr. Villella?

Mr. Villella. Mr. Chairman, I had no knowledge of it, to the best of my recollection, initially. I think that Mr. Murray, the best I recall, spoke to me about it, and I said that based on my original instructions, I wanted to be billed for the times that I stayed at the facility. Now, you have to understand, Mr. Chairman, that there was a reputation which was derived from the operation under the previous administration that officials from Washington were not billed for staying at the facility.

Mr. Gore. I know of no such—What do you mean "reputation"?

Mr. Villella. I am talking about the reputation that existed among the members of the staff at the Fire Academy, when we established the National Emergency Training Center.

Mr. Gore. The question is what the law is and what the regulations are. You just decided that you did not want to pay money for a place to live. So you decided to mooch off the Government's facilities there and live for free, without paying for a place to live. I mean that is the simple fact of the matter. Then you got the idea that it would be a whole lot nicer if you had a real fancy and luxurious place to stay while you were at the facility. I do not understand how you can come here and say, "Well, we weren't focusing on that at this time" and just give these bureaucratic answers. Why don't you just say you wanted to save the money, and you decided to bilk the Government out of the money?

Mr. VILLELLA. Mr. Chairman, I will try to politely respond to you by saying that there was never an intent on my part to "mooch," as you put it, off the Government. I asked specifically to be billed. On a previous occasion, after I received the original bill, I asked for a check to be rendered which, unfortunately, did not get rendered. I was traveling back and forth——

Mr. GORE. Wait a minute. You asked for a check to be rendered?

Mr. VILLELLA. Yes.

Mr. GORE. What do you mean? You mean you asked somebody to pay the bill?

Mr. VILLELLA. No; my secretary kept checks in her desk. She would make them out, and either she or I would sign for meals which I consumed in the dining hall or whatever.

Mr. GORE. Wait a minute. Are you telling me that you told your secretary to pay your bills and then she neglected to pay your bills, and therefore it is her fault?

Mr. VILLELLA. No; I am not suggesting that. What I am trying to point out to you is, I did not have an intent, as you suggested, not to pay the bill. The other part that you need to understand——

Mr. GORE. Well, why did you not pay it?

Mr. VILLELLA. I guess I was recalcitrant.

The other part that you need to understand is, I claimed no per diem because I was in two places the same day. As I have said to you on hundreds of occasions, I would travel from Emmitsburg to Washington, from Washington to Emmitsburg, to the tune of something like 80,000 miles worth in 3 years. It was difficult for me to find the right place to live. I chose not to ask for a per diem from the Government. I did that out of my own dedication to getting the task done. Now, if I failed on that administrative detail because I had a busy schedule, and I had too much of a busy schedule of my own volition, then I am at fault.

Mr. GORE. I am going to come back to this, but I want to hit one other matter and then turn to my colleagues, and that is the renovation of building G and the creation of a separate, private residence on the second floor of building G at a cost of approximately $170,000.

You told the GAO in your interview that you intended, for a period of 2½ years, to have a private residence constructed at the center. There are a series of memoranda where you are asking about the progress of the private residence and what needs to be done in order to get it approved and finished. You went ahead and had this work done, even though the legal advice you got was that it was not authorized, that you were not to have a private residence there, that that is not part of the law or the authorization.

What is your statement now? You told the GAO that this was intended to be a private residence. What is your statement now? What was the intent of spending the $170,000 to put in the fancy commercial stove and the Murphy bed, and fix up this residence so nicely? Why did you do that?

Mr. VILLELLA. Mr. Chairman, let me first categorically tell you that it was never my desire or intent, nor is it today, to reside at the NETC or at Emmitsburg——

Mr. GORE. That is not what you told the General Accounting Office——

Mr. VILLELLA. If I can finish, I will amplify on that, if I may, sir.

Mr. GORE.And it is not what you have said in these memoranda, but go ahead and amplify on it.

Mr. VILLELLA. When I had an interview with the General Accounting Office, which was a verbal interview—it was not taped—I indicated, as my memoranda confirm, that I, for the longest time, had felt that there should be a presence on that campus because of the growth of the campus, the student activity, the student population, where it has grown from 100-and-some a day to 450 per day on the campus, and the growing numbers of activities. That campus needs to have someone in residence.

Mr. GORE. So it was your feeling that you should have a free place to live there?

Mr. VILLELLA. No, not at all, Mr. Chairman, not free at all. We discussed—the general counsel, the director and myself—on a number of occasions, if we got the residence approved and we got somebody to stay in that residence how we would compute what that individual would pay. You are trying to tie those two together from appearances, and I tell you categorically that is not so.

After the General Accounting Office——

Mr. GORE. Wait just a minute.

Mr. VILLELLA [continuing]. Gave us the briefing on what their findings were, I commented to the member from the General Accounting Office that he had taken my comments out of context. I said that I felt there needed to be a residence there, and that that building, in my judgment, was a good candidate.

The way that building was constructed—and I heard your question earlier about an independent, no-entry from downstairs—it was not designed to be a separate residence. It was, in my judgment—the Director of the Agency does not agree with me—it was, in my judgment, a candidate for a residence. I am anxious, having spent 3½ years of my life building that training center, that somebody be there to participate, watching over that, and providing a presence for the quality of student life and student activity.

Mr. GORE. You made a recommendation to Mr. Giuffrida to use that second floor for a residence for you, did you not?

Mr. VILLELLA. No.

Mr. GORE. We already have put this memo into the record. I will refer to it again. It is a memorandum from George Jett, who is at the witness table, to Louis Giuffrida, who would not come today. It refers to the recommendation from Mr. Villella for the restoration of a resident apartment at the NETC to be used by the associate director of training and education. Now, the associate director of training and education is you, is it not?

Mr. VILLELLA. Mr. Chairman, I used the person who would stay in that set of quarters and me as two different people.

Mr. GORE. Now, wait a minute. Wait a minute. Are you or are you not the associate director of training and education?

Mr. VILLELLA. I am that, among a couple of other things. Yes, sir.

Mr. GORE. You are the associate director of training and education. OK. You made a recommendation to restore that apartment for the residence of you; right?

Mr. VILLELLA. No, that is not what I had in mind, Mr. Chairman.

Mr. GORE. Are you trying to say that you were trying to——

Mr. SKEEN. Will the Chairman yield?

Mr. GORE [continuing]. Show respect to the Office of Associate Director and not to yourself, and that you just happened to be the associate director at the time you made the recommendation, and it was just sort of incidental that it happened to be you that was going to live there? Is that what you are saying?

Mr. VILLELLA. If you are comfortable with that answer, I would say yes.

Mr. GORE. Are you comfortable with it? I am not comfortable with it at all.

Mr. SKEEN. Mr. Chairman?

Mr. GORE. Let me give him a chance to respond, and then I will yield to you.

Is that essentially what you are saying?

Mr. VILLELLA. I cannot answer your questions with the answers that you want to hear. I never wanted to, nor do I now want to, reside in Emmitsburg. If you would like some more evidence that supports that statement, I would be glad to give you an affidavit from the people from whom I now rent my present residence, where last year I asked for a 4-year lease.

Mr. GORE. Now, wait a minute.

Mr. VILLELLA. I still believe that there needs to be a presence, whether it is called the director's quarters, or a president's home, or a chancellor's home. It is not the person; it is the image.

Mr. GORE. I want to pin this down, and then I want to yield to my colleague, because what you say is just contrary to this memorandum. It is clear from the evidence that you recommended the restoration of a resident apartment at the NETC to be used by you.

Mr. VILLELLA. By the Associate Director for Training and Education.

Mr. GORE. Which just happened to be you; right?

Mr. VILLELLA. That is right.

Mr. GORE. There were only two structures—and we had testimony on this earlier—there were only two structures ever considered for restoration as a residence. One was the red barn, and the study indicated that would have been much more expensive even than this, and the only other possibility was this second floor, which you went ahead and spent the money on, $170,000 worth. Let me yield to my colleague, Mr. Skeen.

Mr. SKEEN. Thank you, Mr. Chairman. I appreciate you yielding. It is relevant to that question, as I think the earlier testimony substantiated the fact that we are confusing some discussion here, notwithstanding staff provisions. We are not talking about building G all the time here; is this not correct? When you speak of residence, we automatically equate that to mean the second floor of building

G. That was not the case, and the earlier testimony in the record substantiates it.

Mr. GORE. Would the gentleman yield?

Mr. SKEEN. Sure.

Mr. GORE. I would beg to differ with that, because everywhere they refer to the restoration of a resident apartment, it is clear to everyone concerned that they are talking about the second floor of building G. The only other place where he was staying was in one of the dormitory rooms, but everywhere they refer to a resident apartment on campus, they are talking about the second floor of building G. That is clear to everybody.

Mr. SKEEN. That is not clear to me, Mr. Chairman.

Mr. GORE. Let us just ask them. Does anybody dispute my statement of that?

Mr. VILLELLA. Mr. Chairman, I want to correct a couple of inaccuracies before we proceed. First of all, I am not aware of a study that was conducted on the red barn. I think the study you may refer to was the $1 million in 1978 dollars it was going to cost to renovate building G. The red barn was recently stated by the Director of the Agency as another candidate site for a director's type residence. That was not the only candidate that we have talked about. I again refer you, if you would be a little considerate in judging the phenomenal growth, where we had this new facility and we were trying to grow with it. We did not have all the answers.

My own travel back and forth and the obvious appearance is a reflection of that. There was another very adequate facility which was originally No. 1 on the list for a director's type quarters, and that is the white house, which is the third candidate, which you have not talked about because nobody has asked us about it before. I am sorry if I have confused you.

Mr. GORE. No, you haven't confused me.

Mr. VILLELLA. But building G is building G. Building G and the renovations for building G were designed to accomplish what is obvious, to have senior student quarters.

My recommendation and memoranda and discussions with the Director, that that was a candidate for the Director's quarters, is in fact true and remains the same, except now I would have to modify it again.

Mr. GORE. Do you still recommend that it be your residence?

Mr. VILLELLA. I do not recommend that it be my residence.

Mr. GORE. Do you still recommend that it be the residence of the Associate Director of Training and Education?

Mr. VILLELLA. No, I do not.

Mr. GORE. Why not?

Mr. VILLELLA. Because I think, as I tried to imply in my statement, as we have grown now with that facility, we have the Fire Administration there, we have just recently added the Senior Executive Policy Center, there has been phenomenal growth. We are reorganizing, not presently, to create two deputies. One would be the Deputy for the Training and Fire Programs Directorate, which evolved over this period of growth that I have been trying to describe to you. We are not a solid, bureaucratized, standing institution. We have been in a period of dynamic growth. When it appears to you that I am equivocating and trying to answer, there is a little equivocation because we are learning while we are growing.

Mr. GORE. Yes, I agree with you.

Mr. Villella, did you ever have a discussion with Mr. Giuffrida about both you and him using this residence when you were on the campus, and that he could use it, too, when he came on the campus?

Mr. VILLELLA. I don't recall exactly. I would like to try and paraphrase from the best of my recollection. I realize that is dangerous, and the general counsel may kick me in the shins, but there have been occasions when there were events. We like to have the Director of the Agency, as we would like to have the members of this committee, come to Emmitsburg and stay there.

Mr. GORE. No, thanks.

Mr. VILLELLA. The students from all over—you might enjoy it.

Mr. GORE. Please just answer my question. Did you have a discussion with Mr. Giuffrida about him using it as a residence?

Mr. SKEEN. Mr. Chairman, may I ask you to identify which building you are talking about?

Mr. GORE. Building G, the one they renovated, the one they spent $170,000 on and put the $11,000 stove in.

Mr. SKEEN. That is what I wanted you to say, Mr. Chairman.

Mr. GORE. Did you ever have a discussion with Mr. Giuffrida, the Director of FEMA, about him using it as a residence?

Mr. VILLELLA. Mr. Chairman, I am trying to recollect so I can provide an adequate answer. I think what I had suggested to the Director—and you have to accept that. He and I have had discussions for some several years on a variety of subjects. I may very well have said: "If we make this senior visitors quarters, when you come, we would like you to stay overnight for the occasions like the fallen firefighter memorial ceremony that you could stay in this room." Not that set of quarters.

Mr. GORE. And then at other times, you could use it?

Mr. VILLELLA. Yes.

Mr. GORE. I see. Then that explains this memorandum in March of this year to you from Director Giuffrida—we referred to this earlier, and the members have it. Can we provide copies to Mr. Villella and Mr. Jett of this memorandum?

Mr. Giuffrida writes the two of you and says: "Where are we on authorizing quarters for me on post at NETC-E and NETC-W?" Now, that refers to building G and the residence on the second floor, does it not?

Mr. VILLELLA. Could I attempt to explain that, Mr. Chairman? I understand what that memo——

Mr. GORE. Give me a yes or no, if you can, and then you can elaborate.

Mr. VILLELLA. I am sorry, I did not——

Mr. GORE. What he is talking about here, "authorizing quarters for me on post," at NETC, what he is talking about is the apartment on the second floor of building G, is he not?

Mr. VILLELLA. Not necessarily. And I do not want to equivocate.

Mr. GORE. Well——

Mr. VILLELLA. First of all, you have to accept when he says "me," just like I said "the Associate Director," that is not synonymous with me or you. It was for the fulfillment of what he wanted to do. He wants, agrees with me, there should be quarters at Emmitsburg and eventually at NETC-West for an individual who would be in charge. With the addition of NETC-West, for example, we think we have agreed that the individual in charge there is going to be a deputy, not in fact a director.

Mr. GORE. Now, wait a second. I do not want to belabor this, but unfortunately it seems to be the only way to get a response. Let me just ask you. You had a conversation with Mr. Giuffrida about him staying in building G when he came out there for special occasions, right? And other times you would use it.

Mr. VILLELLA: As best I recollect, yes.

Mr. GORE. And at other times, you would use it. Now, just let me tell you the conclusion that I draw from it, and you can disagree and tell me if I am wrong. You decided that because of your position, you ought to have this private residence in this building. The legal counsel told you that it was inappropriate and could not be allowed. You went ahead and spent the $170,000 anyway to make it a private residence, and tried to get the legal approval to change those obstacles that were preventing you from using it as a private residence. Then you decided that the best way to do it would be to get the Director in on it and call it his residence, get it approved for him, and then you could use it when he was not there, which was going to be most of the time. Now that is essentially what happened, isn't it?

Mr. VILLELLA. Mr. Chairman, that is nowhere near what happened. At the risk of being a little bit indignant, I tried to explain to you what I think any educational manager would try to explain. There needs to be a presence, in a campus setting, of someone that represents authority, someone who manages the facility so that there can be good quality of student life.

"Me" and "you," as used in those memoranda, do not relate personally to Fred Villella or to L.O. Giuffrida; they relate to somewhere within the positions that those two individuals occupy, and in the image of a residence for someone who is the authority figure.

Mr. GORE. It is sort of like a private residence for the office, not the man.

Mr. VILLELLA. I just also want to say to you, I never said anything about a private residence. It has got to be a residence for the individual who is in charge of that facility, not private.

Mr. GORE. And that just happens to be you?

Mr. VILLELLA. Well, it doesn't happen to be me, as a matter of fact.

Mr. GORE. Let me just summarize my conclusions about this——

Mr. VILLELLA. Mr. Chairman, do you know where I work on a daily basis? Perhaps I should add that. Do you know that I am physically in Washington every day?

Mr. GORE. Yes, I know that now.

Let me just summarize my conclusions on this, and then I am going to recognize my colleague, Mr. Skeen.

It is clear from the evidence that you wasted taxpayers' money of a minimum of $170,000, and much more for the wedding equipment, for the personal use of Government property, and these people that were supposed to be doing the taxpayers' business, and you come up here and the explanation is that you felt that the person in your position should have a private residence, but you did not see it as a benefit to yourself, but the taxpayers are going to see it that way.

Let me recognize my colleague, Mr. Skeen.

Mr. **Skeen**. Thank you, Mr. Chairman. In view of that summary over there, I am glad you are not summarizing too many things. Everybody is entitled to their opinion.

Mr. Villella, there is a memorandum here on January 28, 1984, to Victor S. Buyny, through Duane Murray, from Frank Payne. The third paragraph down, states: "In addition, the NETC campus has been assigned certain classified missions in the event of an emergency * * *" I will not go on with that particular paragraph, but the following paragraph says:

> During the progress of building G renovations, changes have been identified which are considered necessary based on the intended use or occupancy of these quarters. The changes identified on the attached forms are considered necessary to upgrade the quality of housing at NETC, and the quarters in Building G will be used for housing senior officials attending programs at NETC.

Did you offer this, Mr. Payne, as a reason for the modifications? What was the reason for this particular memorandum?

Mr. **Payne**. That was partly it, sir. G building was built in 1948 for $569,756. Then when the U.S. Fire Administration purchased the building, and under a study by the U.S. Department of Commerce—and I furnished this document to GAO when they were out there—it talks about G building. I will not run down all the items there, but just to summarize, the cost for renovation in 1978 dollars was estimated at $1,049,000. That is in this document right here.

Mr. **Skeen**. That is the cost of renovation?

Mr. **Payne**. The cost of renovation. It was renovated the way that you saw in the pictures today, which is an upgrade of our quarters out there in quality, still not yet as good as a motel, for $369,000. An independent appraiser came out and looked at it, as to what the upgrading looked at, and it was $417,000.

Mr. **Skeen**. That was the appraisal?

Mr. **Payne**. That was the appraisal.

Mr. **Skeen**. After the renovation?

Mr. **Payne**. After the renovation.

Mr. **Skeen**. With the upgrades?

Mr. **Payne**. With the upgrades.

Mr. **Skeen**. And modifications.

Mr. **Payne**. So there is about where we stand now, but it was never my understanding of what we were trying to do here that this was a private residence for anyone. I think if you look at the way that it is constructed there, it is obvious that it is for multiple use.

If I could just say a word about that kitchen facility, for the fire-suppression units that are in there—and of course, that was a major cost—and the sprinkler system that is on the first floor, and the fire alarms, it all ties in with the total environment of what we are doing out there.

You start with the dorm buildings for the normal students that are out there, with the gang showers and this kind of thing, in A, C, and B, and F. Then we remodeled L building, and we have multipurpose units there. We have 42 rooms with showers, very small, very limited, but those showers there have the tile rather than this cheap fiberglass. I am sure in construction that those fiberglass showers in any home, rather than a bathtub or whatever, you cheapen the house by at least $15,000.

So the quality of what you are talking about there, it is entirely inappropriate to put the fiberglass showers on that second floor of G building. That is the reason this change was made.

Mr. SKEEN. Mr. Payne, was it ever considered to raze the building G?

Mr. PAYNE. Not during my time there.

Mr. SKEEN. Was there ever a consideration?

Mr. PAYNE. Yes, sir. The consideration was, in 1978 dollars, not the inflation, $28,000 to destroy the building.

Mr. SKEEN. $28,000?

Mr. PAYNE. $28,000.

Mr. SKEEN. Now you have an estimate that the building is worth $400,000?

Mr. PAYNE. That is just the improvements.

Mr. SKEEN. How much mileage, Mr. Villella, did you put combined on the Cutlass and the Granada?

Mr. VILLELLA. I think somewhere in the order of—I will have to try to recollect.

Mr. SKEEN. Just give me a ballpark figure. I just want to get some kind of an estimate about how many trips a year you made.

Mr. VILLELLA. I think it is about 20,000 to 30,000 a year.

Mr. SKEEN. Did you not put around 80,000 miles on a cumulation of these cars?

Mr. VILLELLA. I estimated approximately 80,000 miles.

Mr. SKEEN. That is some 500 trips back and forth to Emmitsburg?

Mr. VILLELLA. Yes.

Mr. SKEEN. I want to ask Mr. Murray, there was some reference to a previous administration's reputation for no-cost housing. Has this been a reputation with the academy or the institute?

Mr. MURRAY. If it is, sir, I am not aware of it.

Mr. SKEEN. What was your policy?

Mr. MURRAY. The policy has changed somewhat over a period of time, and this goes back before my tenure there.

Mr. SKEEN. When did your tenure start?

Mr. MURRAY. November 1981. I think the original policy was, as I recall, at one time even FEMA employees who came up from downtown to spend the night up there on official business were charged $25 a night. I think that was a short period of time, and then the general counsel issued an opinion and said, no, it should not be $25. Then I think there was another opinion later on that said, if you are on official business, there is no point in charging, because it is just taking it out of one pocket and putting it in another pocket in the Agency.

So the official housing policy kind of evolved over a period of time where, if you were there under official travel orders from some other location, and you were a FEMA employee, you could stay on the campus at no cost in terms of the quarters. Other Federal employees coming from other agencies had to pay our standard rate of $5 a night. So it was a little confusing, but I am not sure we had a reputation of being——

Mr. **Skeen**. Free bed and board?

Mr. **Murray**. That is right, sir.

Mr. **Skeen**. You are charging now $5 a night?

Mr. **Murray**. Yes, sir. We have done a study and probably are——

Mr. **Skeen**. It is a nominal thing, so that you do not get into a situation where it costs more to assess and collect it than it does to just put a nominal charge on there.

Mr. **Murray**. Yes, sir.

Mr. **Skeen**. Who takes care of the cleaning and so forth?

Mr. **Murray**. We have a contractor that does that.

Mr. **Skeen**. Just like you do your other security contractor?

Mr. **Murray**. Yes, sir.

Mr. **Skeen**. I want to go back to you, Mr. Payne. You kept using the phrase "focusing on Villella" in regard to Ms. Downin's billing or the billing from Mr. Murray's office and so forth. Could you illuminate on that a little more?

Mr. **Payne**. I would be very pleased to, sir. The problem out there, with Mr. Villella working 12 or 15 hours a day to try to get this thing in order, in bringing the fire service and the emergency management service there under the one umbrella, and then trying to bring folks in from all over the Nation to increase awareness and get to public education and get to the city managers, to get to the professors of colleges and universities who provide public administration courses, this was all part of it. And coming from when they used to have 60 students a week there to some 400 students a week there now, there was a good deal of resistance on some of the staff to go along with that. Even the possibility of an NETC-West to continue this program, there was also a controversy within the staff as to whether that was the appropriate thing to do, and some were trying to sabotage that effort, and a lot of this effort was focused on Mr. Villella.

This Lincoln car, that is beyond my comprehension of the criticism there, because Mr. Villella was not even at Emmitsburg when the accident occurred. He was out of the country. They asked for a replacement car, the transportation coordinator in Mr. Murray's office. They had no similar car, and they agreed to provide this Lincoln town car, and I'm the one that made the decision, if no additional charge to the Government, a replacement car. As a matter of fact, people can, I guess, rent a Lincoln town car less expensive than a compact car. But at any rate they were going to provide this with no cost. I made that decision and Mr. Villella, the first time he saw it, he says, "Frank, someone is going to make an issue of this." I am the one that made that decision.

If I could just make one other point——

Mr. **Skeen**. Sure, Mr. Payne.

Mr. **Payne** [continuing]. On a leased car that Mr. Villella uses, and I think Mr. Murray will verify this, that that car cost $2,500 a year—close enough for Government work, I guess—which includes repair of that car. Now if we use one of his GSA Citation cars, I think it's $125 a month plus 8 cents per mile, plus we have to pay for the repairs. Now if we're talking about cost effectiveness, that GSA car costs around $4,500 a year as compared to $2,500 for a leased car.

One other area and then I'll stop. On cost effectiveness and on transportation, when I arrived there they had GSA buses that everybody laughed about, because one of the buses came from the zoo and that's what we were using to go to the airports to pick up our students—no place to put the baggage, no air conditioning, no toilet facilities. This was another luxury, that we leased at $80,000. Buses, air-conditioned, with all the amenities, to bring the students back and forth.

So, you know, we have made progress in some of these areas and in a cost-effective manner, have saved money.

Thank you, sir.

Mr. SKEEN. Thank you, Mr. Payne. I want to ask you one question further in that regard, and this business of focusing on Villella. Are you trying to imply that, or are you saying, that there was friction between the various levels of staff and so forth, and there was a "let's get Villella" movement going on out there? Is that what the crux of all this is about? Let's lay it out here and talk about it.

Mr. PAYNE. I certainly have that feeling. There is no question in my mind.

Mr. SKEEN. You do have that feeling?

Mr. PAYNE. I do have that feeling.

Mr. SKEEN. Do you support that feeling, Mr. Villella?

Mr. VILLELLA. Congressman Skeen, I have obviously moved very quickly to put programs on line that were not originally envisioned by the charters of predecessor agencies, and I suppose——

Mr. SKEEN. Don't mind the audience.

Mr. VILLELLA [continuing]. I suppose that that tended to antagonize some people.

Mr. SKEEN. There has been some antagonizing going on, and I want to ask Ms. Downin, you have obviously changed positions——

Ms. DOWNIN. Yes; I have.

Mr. SKEEN [continuing]. From what you were doing when you were doing the timekeeping and the billing and so forth for the housing.

Ms. DOWNIN. Yes; sir.

Mr. SKEEN. Was this a promotion——

Ms. DOWNIN. Yes.

Mr. SKEEN [continuing]. Or were you demoted?

Ms. DOWNIN. Yes; it was.

Mr. SKEEN. Have you suffered any harassment at all employmentwise?

Ms. DOWNIN. In regard——

Mr. SKEEN. Have you suffered any loss because you were billing, and because of the tirade that was supposed to have taken place with Mr. Payne, or anything of that——

Ms. DOWNIN. No; I have not.

Mr. SKEEN. Any retribution at all?

Ms. DOWNIN. No.

Mr. SKEEN. You have not?

Ms. DOWNIN. No; I have not.

Mr. **Skeen**. That's all I have for right now, Mr. Chairman.

Mr. **Gore**. Fine. I think that we ought to put into the record the memorandum that you referred to earlier—without objection, we will—the December 21 memorandum from Frank Payne to the senior executive staff. Is that the one you were reading from?

Mr. **Skeen**. No; I want the January 26, 1984.

Mr. **Gore**. Without objection, we will put that in the record.

Mr. **Skeen**. I would appreciate that, and if you want the other one in, that's all right with me.

[Material follows:]

Federal Emergency Management Agency

National Emergency Training Center
Emmitsburg, Maryland 21727

JAN 26 1984

MEMORANDUM FOR: Victor S. Buyny, Chief
Procurement Branch

THROUGH: Duane Murray
Assistant Associate Director
for Management and Administration

FROM: Frank Payne
Frank Payne, Deputy Associate Director
for Training and Fire Programs

SUBJECT: Changes to Contract EME-C-0044 for the Renovation
of Building G

On September 12, 1983, contract EME-C-0044 was awarded to David Contractors for the renovation of Building G at a total firm fixed price of $197,777.00. This renovation was considered necessary to expand the housing facility at NETC.

NETC is becoming increasingly involved in programs in which the participants are senior Government officials at the local, State and Federal level. An example of such a program is the establishment of the Senior Executive Policy Center. Housing must be provided that is equivalent to the status of these individuals.

In addition, the NETC campus has been assigned certain classified missions in the event of an emergency. In view of this decision, planning factors must now be considered to include appropriate modifications to previously approved renovation projects.

During the progress of Building G renovation, changes have been identified which are considered necessary based on the intended use or occupancy of these quarters. The changes identified on the attached forms are considered necessary to upgrade the quality of housing at NETC. The quarters in Building G will be used for housing senior officials attending programs at NETC.

Incorporate the attached changes into the subject contract. The attached requisition 40-1 #64823 should cover any additional adjustment to the contract amount.

Federal Emergency Management Agency

National Emergency Training Center
Emmitsburg, Maryland 21727

FOR OFFICIAL USE ONLY

December 21, 1983

MEMORANDUM FOR: Senior Executive Staff

Frank Payne

FROM: Frank Payne, Deputy Associate Director for Training and Fire Programs

SUBJECT: National Security Implications Pertaining to Current and Future Renovations Projects at NETC

This is to confirm that by separate agreement the NETC campus has been assigned certain classified mission in the event of emergency. In view of this decision, impacts of such arrangements must be taken into planning consideration for all future renovation projects to include appropriate modifications to previously approved renovation projects now in the process of construction.

cc: Bob Kemp

FOR OFFICIAL USE ONLY

Mr. GORE. I am going to recognize Mr. Reid, and let me interpose one brief question here. You say, in this memorandum of December 21, Mr. Payne, after this renovation was completed you note to the senior staff that certain classified missions have been assigned to the campus and that:

> In view of this decision, impacts of such arrangements must be taken into planning consideration for all future renovation projects, to include appropriate modifications to previously approved renovation projects now in the process of construction.

Is this a statement on your part that there is some classified, secret mission that justifies the construction of the resident apartment?

Mr. PAYNE. Not the resident apartment.

Mr. GORE. Building G?

Mr. PAYNE. The individual quarters that are out there.

Mr. GORE. Building G?

Mr. PAYNE. Yes.

Mr. GORE. So there is something classified that, after the renovation was done, there is something classified that you think justified——

Mr. PAYNE. After the renovation had started, sir, not done, not complete.

Mr. GORE. After it had already been started, you found out about a classified mission that in your view justified it?

Mr. PAYNE. It was adopted just before this memorandum was put out, yes.

Mr. GORE. I see.

Mr. PAYNE. We were assigned that mission.

Mr. GORE. I don't want to ask you about something secret, but is it a secret plan to bring someone to use that resident apartment who might not be comfortable without it——

Mr. PAYNE. The entire facility.

Mr. GORE. The entire facility. I see. OK. Well, we inquired of—I am on the Intelligence Committee, and Mr. Boland, the chairman of that committee, is also chairman of the Appropriations Subcommittee which handles FEMA. We have brought this matter to their attention and they are somewhat puzzled by the fact that any classified mission might be cited as justification for the renovation, but I think they are going to look into that.

Mr. PAYNE. Mr. Murray is well aware of that classified mission.

Mr. GORE. Well, the subcommittee, the Appropriations Subcommittee is going to pursue that.

Mr. WINN. Mr. Chairman, would the chairman yield?

Mr. GORE. Yes; I would be glad to.

Mr. WINN. I hope the chairman will get off of that kick. I mentioned it a little while ago. I think if the chairman, who does serve on the Intelligence Committee, will do a thorough checking he will find that there have been several instances where groups have been there and needed security and additional things, but I don't think that needs to be a part of the public hearing and I wish we would bring it up, if you want to, in closed hearing.

Mr. GORE. The facility has never been used for that. It has never been used for that. The reason I bring it up, I will say to my colleague for whom I have the greatest respect, let me just explain why I bring it up. I am trying to make the point—and I have seen this happen a lot since I have served in the Congress—that a lot of times when everything else fails, then a classified stamp is used and that is used as an excuse to say, "Take our word for it. It's justified. We just can't tell you why." I was trying to make that point. Maybe, you know, I think the point is justified but I will respect the difference of opinion.

I recognize Mr. Reid.

Mr. REID. Thank you, Mr. Chairman.

Mr. Villella, I came here this morning and read your prepared statement. I was convinced after having read that that you must have prepared it a few weeks ago. I, as a member of this subcommittee, am lacking in words to describe my disappointment in the prepared statement that you gave.

We have had a number of statements, allegations, and assertions made this morning that covered a number of things, including some of the things that were obviously in the newspaper this morning—problems that dealt with renovation of building G which you briefly touched on in your prepared statement, but very briefly; various billings for other things, including the chapel renovation. Your relationship with Connie Peresada, not a word was said about that; dry cleaning; cash checks; help with preparing income tax returns; taking your wife shopping; soft security, security that didn't carry a weapon of any kind; a so-called brown-bag fund, petty cash or whatever else we want to call it.

I am at a loss as to why you could possibly, how you could possibly respond in the way you did to these very serious allegations. I mean, you read a statement as if you were here trying to get authorization for another year of funding out there. I mean, it's absolutely incredible to me that you could just gloss over all this stuff.

Now let's be specific. Is it true that the nights of December 26 and 27, 1983, that you stayed in San Diego, CA, at the Del Coronado Hotel?

Mr. VILLELLA. Yes; to the best of my recollection that's true. And, Mr. Reid, may I comment on your statement? I would like to——

Mr. REID. OK, and we will go to Del Coronado in a minute. Please do.

Mr. VILLELLA. I didn't prepare the statement 3 weeks ago. Most of the information that has surfaced, as I understand it, has been derived from the very thorough investigation conducted by our Office of the Inspector General. I had no knowledge, in preparing for this hearing, what it was that we were going to talk about specifically. Therefore, I did not address those individual subjects. I tried to prepare myself the best I could, and I am disappointed that you are disappointed in the statement.

Mr. REID. Yes, but you know, you are here in the big time. This is a hearing that has been convened of the Congress of the United States. You sat in the audience and listened to the statements made, all very detrimental to you with rare, rare exception. In addition to that, the GAO, they didn't do this out of the dark. They came and they talked to you on at least two occasions. You were aware of what was going to be said, and if you weren't aware prior to coming here after having talked to the GAO, after having hopefully read the newspaper or somebody bringing it to your attention, you at least sat here this morning and listened to everything that was said.

Mr. **Villella**. I acknowledge that, Mr. Reid, and in response to your question about Del Coronado, yes, I stayed at Del Coronado——

Mr. **Reid**. OK.

Mr. **Villella** [continuing]. In San Diego on——

Mr. **Reid**. Who paid for the rooms at the Del Coronado?

Mr. **Villella**. The rooms were furnished by the Del Coronado because I was asked to do an inspection of the facilities on the premise that we may use that facility for a seminar.

Mr. **Reid**. Didn't you list on your per diem statement, for lack of a better word, that you stayed at friends'.

Mr. **Villella**. Mr. Chairman, I would have to look at the per diem statement. I think what I said was, there was no claim to the Government for those 2 days at the Del Coronado, the two nights at Del Coronado.

Mr. **Reid**. It's my understanding, and I reviewed this several hours ago, that it said—yes—"No lodging expenses, stayed with friends," is what you put on the schedule of expenses. Do you recall that?

Mr. **Gore**. We will have the staff provide him with a copy of it.

[The documents referred to follow:]

TRAVEL VOUCHER
(Read the Privacy Act Statement on the back)

1. DEPARTMENT OR ESTABLISHMENT, BUREAU DIVISION OR OFFICE
Federal Emergency Mgmt. Agency
National Emergency Trng. Ctr.

2. TYPE OF TRAVEL
☒ TEMPORARY DUTY
☐ PERMANENT CHANGE OF STATION

3. VOUCHER NO

4. SCHEDULE NO.

5. TRAVELER

a. NAME (Last, first, middle initial) Villella, Fred J.

b. SOCIAL SECURITY NO. 170-26-3694

c. MAILING ADDRESS (Include ZIP Code)
National Emergency Training Center
16825 S. Seton Avenue
Emmitsburg, MD 21727

d. OFFICE TELEPHONE NO. 301-447-6771 x. 6117

e. PRESENT DUTY STATION Washington, D.C.

f. RESIDENCE (City and State) Arlington, VA

6. PERIOD OF TRAVEL a. FROM 12/26/83 b. TO 1/3/84

7. TRAVEL AUTHORIZATION a. NUMBER(S) 40006K b. DATE(S) 9/26/83

8. TRAVEL ADVANCE

a. Outstanding	$1825 65
b. Amount to be applied	383 54
c. Amount due Government (Attached ☐ Check ☐ Cash)	
D. Balance outstanding	$1442 11

9. CASH PAYMENT RECEIPT
a. DATE RECEIVED
b. AMOUNT RECEIVED $
c. PAYEE'S SIGNATURE

10. CHECK NO.

11. PAID BY

12. GOVERNMENT TRANSPORTATION REQUESTS, OR TRANSPORTATION TICKETS, IF PURCHASED WITH CASH (List by number below and attach passenger coupon, if cash is used show claim on reverse side.)

I hereby assign to the United States any right I may have against any parties in connection with reimbursable transportation charges described below, purchased under cash payment procedures (FPMR 101-7) ▶ Traveler's Initials

	AGENT'S VALUATION OF TICKET (a)	ISSUING CARRIER (Initials) (b)	MODE, CLASS OF SERVICE AND ACCOMMODATIONS (c)	DATE ISSUED (d)	POINTS OF TRAVEL FROM (e)	POINTS OF TRAVEL TO (f)
7230014061	$260.00	UA	QDG	12/16/83	Washington, D.C. and	Los Angeles, CA return
441794	$148.00	AA	Y	12/22/83	San Luis Obispo,CA and	San Francisco, CA return

3. I certify that this voucher is true and correct to the best of my knowledge and belief, and that payment or credit has not been received by me. When applicable, per diem claimed is based on the average cost of lodging incurred during the period covered by this voucher.

RAVELER IGN HERE ▶ DATE 1/10/84 AMOUNT CLAIMED ▶ $ 383 54

OTE: Falsification of an item in an expense account works a forfeiture of claim (28 U.S.C. 2514) and may result in a fine of not more than $10,000 or imprisonment for not more than 5 years or both (18 U.S.C. 287, i.d. 1001).

4. This voucher is approved. Long distance telephone calls, if any, are certified as necessary in the interest of the Government. (NOTE: If long distance telephone calls are included, the approving official must have been authorized in writing by the head of the department or agency to so certify (31 U.S.C. 680a).)

PPROVING FFICIAL IGN HERE ▶ Gerald S. Martin
Executive Administrator
DATE

LAST PRECEDING VOUCHER PAID UNDER SAME TRAVEL AUTHORIZATION
VOUCHER NO. b. D.O. SYMBOL c. MONTH & YEAR

THIS VOUCHER IS CERTIFIED CORRECT AND PROPER FOR PAYMENT
UTHORIZED ING HERE ▶ Dennis Boyd
Comptroller
DATE

17. FOR FINANCE OFFICE USE ONLY
COMPUTATION $
a. DIFFERENCES, IF ANY (Explain and show amount)
b. TOTAL VERIFIED CORRECT FOR CHARGE TO APPROPRIATION
Certifier's initials: $
c. APPLIED TO TRAVEL ADVANCE (Appropriation symbol): $
d. NET TO TRAVELER ▶ $

ACCOUNTING CLASSIFICATION
84-9-4750-2110-2-4000

012-116
☆ GPO 1979 0-281-187 P.O. 4120
NSN 7540-00-634-4150
STANDARD FORM 1012 (REV. 10-77)
Prescribed by GSA, FPMR (41 CFR) 101-7

HEDULE
:
:PENSES
ID
IOUNTS
.AIMED

:TRUCTIONS TO TRAVELER (*Unlisted items are self-explanatory*)

(c) If the voucher includes per diem allowances for members of employee's immediate family, show members' names, ages, and relationship to employee and marital status of children (unless information is shown on the travel authorization.)

Complete only for actual expense travel
- Col. (d) thru (g) Show amount incurred ch meal, including tax and tips, and daily total meal cost.
- (h) Show expenses, such as: laundry, cleaning and pressing of clothes, tips to bellboys, porters, etc. (other than for meals)

(i) Complete for per diem and actual expense travel

(j) Show total subsistence expense incurred for actual expense travel.

(m) Show per diem amount, limited to maximum rate, or if travel on actual expense, show the lesser of the amount from col. (j) or maximum rate.

(n) Show expenses, such as: taxi/limousine fares, air fare (if purchased with cash), local or long distance telephone calls for Government business, car rental, relocation other than subsistence, etc.

Complete this information if this is a continuation sheet. 1 OF 2 PAGES

TRAVEL AUTHORIZATION NO.
40006 K

TRAVELER'S LAST NAME
Villella

ATE 83	TIME (Hour and am/pm)	DESCRIPTION (Departure/arrival city, per diem computation, or other explanations of expense)	ITEMIZED SUBSISTENCE EXPENSES							MILEAGE RATE ¢	AMOUNT CLAIMED		
			MEALS				MISCEL-LANEOUS SUBSISTENCE	LODGING	TOTAL SUBSISTENCE EXPENSE	NO. OF MILES	MILEAGE	SUBSISTENCE	OTHER
			BREAKFAST	LUNCH	DINNER	TOTAL							
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)
'/26		GOV: Residence to Airport											
	8:45AM	LV: Washington, D.C.											
	11:20AM	AR: Los Angeles, CA											
	11:37AM	Picked up rental car											
		RENTAL CAR: Los Angeles to Coronado, CA											
		TOLLS											4.00
		Meals, and tips		8.50	16.50	25.00	5.25	*	30.25			30.25	
		TDY-Meeting w/local fire officials											
/27		RENTAL CAR: Coronado to San Diego, CA											
		PARKING: For rental car											4.50
		TDY-Private sector mtg.											
		Meals and tips	4.00	8.50	14.50	27.00	2.00	*	29.00			29.00	
:/28		RENTAL CAR: San Diego to Pasadena, CA											4.50
		Meals and tips	4.50		20.00	24.50	3.00	*	27.50			27.50	
:/29		Traveler on personal leave-San Luis Obispo											
:/30		GAS for rental car											10.00
	6:15AM	LV: San Luis Obispo, CA											
	7:50AM	AR: San Francisco, CA											
		TDY-Firehawk Foundation											
	6:20PM	LV: San Francisco, CA											
									SUBTOTALS ▶			86.75	23.00
									TOTALS ▶				

additional space is required, continue on another SF 1012-A BACK, leaving the front blank.

compliance with the Privacy Act of 1974, the following information is pro sed. Solicitation of the information on this form is authorized by 5 U.S.C. hap. 57 as implemented by the Federal Travel Regulations (FPMR 101 7), O. 11609 of July 22, 1971, E.O. 11012 of March 27, 1962, E.O. 9397 of ovember 22, 1943, and 26 U.S.C. 6011(b) and 6109. The primary purpose the requested information is to determine payment or reimbursement to igible individuals for allowable travel and/or relocation expenses incurred ider appropriate administrative authorization and to record and maintain ists of such reimbursements to the Government. The information will be ed by officers and employees who have a need for the information in the rformance of their official duties. The information may be disclosed to propriate Federal, State, local, or foreign agencies, when relevant to civil, criminal, or regulatory investigations or prosecutions, or when pursuant to a requirement by this agency in connection with the hiring or firing of an employee, the issuance of a security clearance, or investigations of the performance of official duty while in Government service. Your Social Security Account Number (SSN) is solicited under the authority of the Internal Revenue Code (26 U.S.C. 6011(b) and 6109) and E.O. 9397, November 22, 1943, for use as a tax payer and/or employee identification number; disclosure is MANDATORY on vouchers claiming travel and/or relocation allowance expense reimbursement which is, or may be, taxable income. Disclosure of your SSN and other requested information is voluntary in all other instances; however, failure to provide the information (other than SSN) required to support the claim may result in delay or loss of reimbursement.

Enter grand total of columns (l), (m) and (n), below and in item 13 on the front of this form.

TOTAL AMOUNT CLAIMED ▶

☆ GPO. 1979 0-281-187 P.O. 4330

STANDARD FORM 1012 BACK (10-77)

HEDULE

PENSES
ID
IOUNTS
AIMED

INSTRUCTIONS TO TRAVELER *(Unlisted items are self-explanatory*

(c) If the voucher includes per diem allowances for members of employee's immediate family, show members' names, ages, and relationship to employee and marital status of children (unless information is shown on the travel authorization.)

Complete only for actual expense travel:
- Col. *(d)* thru *(g)* Show amount incur. ch meal, including tax and tips, and daily total meal cost.
- *(h)* Show expenses, such as: laundry, cleaning and pressing of clothes, tips to bellboys, porters, etc. (other than for meals).
- *(i)* Complete for per diem and actual expense travel.
- *(j)* Show total subsistence expense incurred for actual expense travel.
- *(m)* Show per diem amount, limited to maximum rate, or if travel on actual expense, show the lesser of the amount from col. (j) or maximum rate.
- *(n)* Show expenses, such as: taxi/limousine fares, air fare (if purchased with cash), local or long distance telephone calls for Government business, car rental, relocation other than subsistence, etc.

Complete this information if this is a continuation sheet. 2 OF 2 PAGES

TRAVEL AUTHORIZATION NO. 40006 K

TRAVELER'S LAST NAME Villella

ATE 84 *a)*	TIME (Hour and am/pm) *(b)*	DESCRIPTION (Departure/arrival city, per diem computation, or other explanations of expense) *(c)*	ITEMIZED SUBSISTENCE EXPENSES — MEALS — BREAKFAST *(d)*	LUNCH *(e)*	DINNER *(f)*	TOTAL *(g)*	MISCELLANEOUS SUBSISTENCE *(h)*	LODGING *(i)*	TOTAL SUBSISTENCE EXPENSE *(j)*	MILEAGE RATE: ¢ NO. OF MILES *(k)*	AMOUNT CLAIMED — MILEAGE *(l)*	SUBSISTENCE *(m)*	OTHER *(n)*
/30	7:20PM	AR: San Luis Obispo,CA Meals	4 25	5 25	14 50	24 00		*	24 00			24 00	
/31		RENTAL CAR: San Luis Obispo to Los Angeles, CA											
		GAS: For rental car (receipt attached)											25 00
1		Meals & tips PARKING: For rental car	5 00	6 50	14 50	26 00	2 00	*	28 00			28 00	4 50
2		Meals Holiday	4 20	5 90	16 75	26 85		*	26 85			26 85	
3		PARKING: For rental car Meals and tips	4 00				2 00		6 00			6 00	4 50
	7:09AM 8:45AM	Turned in rental car LV: Los Angeles, CA											153 44
	4:30PM	AR: Washington, D.C. PARKING: For GOV											1 50
		GOV: Airport to residence											
		*No lodging expenses. Stayed with friends.											
									SUBTOTALS ▶			84 85	188 94
									TOTALS ▶			171 60	211 94

additional space is required, continue on another SF 1012-A BACK, leaving the front blank.

compliance with the Privacy Act of 1974, the following information is pro-ded. Solicitation of the information on this form is authorized by 5 U.S.C. hap. 57 as implemented by the Federal Travel Regulations (FPMR 101-7), O. 11609 of July 22, 1971, E.O. 11012 of March 27, 1962, E.O. 9397 of ovember 22, 1943, and 26 U.S.C. 6011(b) and 6109. The primary purpose the requested information is to determine payment or reimbursement to igible individuals for allowable travel and/or relocation expenses incurred nder appropriate administrative authorization and to record and maintain ists of such reimbursements to the Government. The information will be ed by officers and employees who have a need for the information in the rformance of their official duties. The information may be disclosed to ppropriate Federal, State, local, or foreign agencies, when relevant to civil, criminal, or regulatory investigations or prosecutions, or when pursuant to a requirement by this agency in connection with the hiring or firing of an employee, the issuance of a security clearance, or investigations of the performance of official duty while in Government service. Your Social Security Account Number (SSN) is solicited under the authority of the Internal Revenue Code (26 U.S.C. 6011(b) and 6109) and E.O. 9397, November 22, 1943, for use as a tax payer and/or employee identification number; disclosure is MANDATORY on vouchers claiming travel and/or relocation allowance expense reimbursement which is, or may be, taxable income. Disclosure of your SSN and other requested information is voluntary in all other instances; however, failure to provide the information (other than SSN) required to support the claim may result in delay or loss of reimbursement.

Enter grand total of columns (l), (m) and (n), below and in item 13 on the front of this form.

TOTAL AMOUNT CLAIMED ▶ $383.54

☆ GPO: 1979 0-281-187 P.O. 4338

STANDARD FORM 1012 BACK (10-77)

Del Coronado

Bill# 2272

232.86

2 night 26 + 27

7.42	Room Service
50¢	Telephone

No Room charges - Should have been 100 @ nite

7.42	Room Service Food
50¢	Telephone
30.67	Prince of Wales Dining
8.50	Lobby Bar
15.20	Coffee House
17.50	Bar
76.97	Dining

Remaining is phone

Vicki

Billing for 26 + 27 Dec 83
will be mailed to us
Tuesday to FJU,

Del Coronado

Bill # 2272

No room charges - should have been $100/night for nights of December 26 & 27, 1983

$ 7.42 - Room Service - Food
5.04 - Telephone
100.67 - Prince of Wales Dinner
8.50 - Lobby Bar
15.20 - Coffee House
17.50 - Bar
76.97 - Dinner

OUT
DEPOSIT WAIVED.
VILLELLA [illegible] FOR SITE INSPECTION.
W/FEL [illegible] ACADEMY FOR MR.DROWN.

CHECK OUT TIME [illegible]

[illegible] RATE

MAIN BUILDING, LITE [illegible] ROOM
IF AVAILABLE DOUBLE-DOUBLE, OCEAN FRONT.

GUESTS 1	VILLELLA,FR[illegible] MR. C/O [illegible] FEDERAL E[illegible] EMMITSBURG [illegible] 21727	ROOM 3272 RATE FOLIO NO. [illegible]
PLAN E		

PLEASE PAY ON DEPARTURE

ARRIVAL DATE 1226?3 DEPARTURE DATE 122883

DATE	TICKET	LOCATION	AMOUNT
1226??	7712.	LONG DIST TELEPHONE	.5.
1226??	2?-??	OCEAN TERRACE LOUNGE	8.00
1226??	2???	PRINCE OF WALES	76.9?
1226??	2?-??	OCEAN TERRACE LOUNGE	9.5?
1227??	771?1?	LONG DIST TELEPHONE	.5?
1227??	3???	COFFEE HOUSE	15.2?
1227??	7715??	LONG DIST TELEPHONE	.5?
1227??	7716??	LONG DIST TELEPHONE	1.??
1227??	771?	LONG DIST TELEPHONE	[illegible]
1227??	7717??	LONG DIST TELEPHONE	[illegible]
1227??	145??	LOBBY BAR	1.5?
1227??	26071	PRINCE OF WALES	100.7?
1227??		0? LOCAL PHONE CALLS	.75
122883	772114	LONG DIST TELEPHONE	1.5?
1228?3	710??	ROOM SERVICE	7.4?
122883	772160	LONG DIST TELEPHONE	.50

**** AMOUNT DUE 232.8? [illegible]

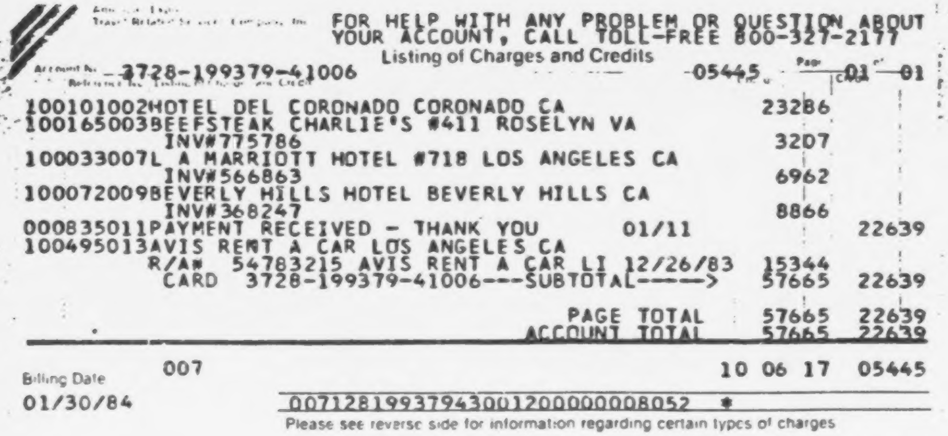
ROOM 3272	ARRIVAL GROUP 122?	RATE	DEPARTURE 122.
GUESTS 1	VILLELLA,FR[illegible] MR. C/O NATL.E[illegible].TRAIN FEDERAL E[illegible] EMMITSBURG [illegible] 21727		
PLAN E			

TOTAL 232.8?

CHARGE TO ______

ADDRESS ______

2?-0?16
GUEST SIGNATURE



American Express
Travel Related Services Company, Inc

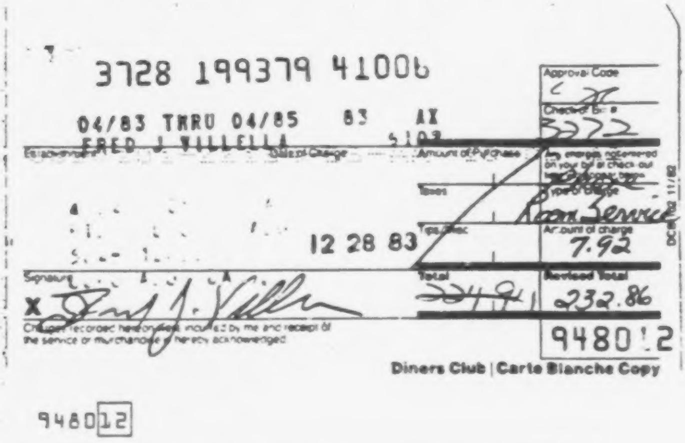
FOR HELP WITH ANY PROBLEM OR QUESTION ABOUT
YOUR ACCOUNT, CALL TOLL-FREE 800-327-2177

Listing of Charges and Credits

```
Account No   3728-199379-41006                         05445     Page 01 of 01
Reference No  Listing of Charges and Credits
100101002HOTEL DEL CORONADO CORONADO CA                        23286
100165003BEEFSTEAK CHARLIE'S #411 ROSELYN VA
         INV#775786                                            3207
100033007L A MARRIOTT HOTEL #718 LOS ANGELES CA
         INV#566863                                            6962
100072009BEVERLY HILLS HOTEL BEVERLY HILLS CA
         INV#368247                                            8866
000835011PAYMENT RECEIVED - THANK YOU        01/11                    22639
100495013AVIS RENT A CAR LOS ANGELES CA
        R/A#  54783215 AVIS RENT A CAR LI 12/26/83             15344
         CARD  3728-199379-41006---SUBTOTAL----->              57665  22639

                                          PAGE TOTAL           57665  22639
                                       ACCOUNT TOTAL           57665  22639
Billing Date  007                                     10 06 17  05445
01/30/84         007128199379430012000000008052  *
```

Please see reverse side for information regarding certain types of charges



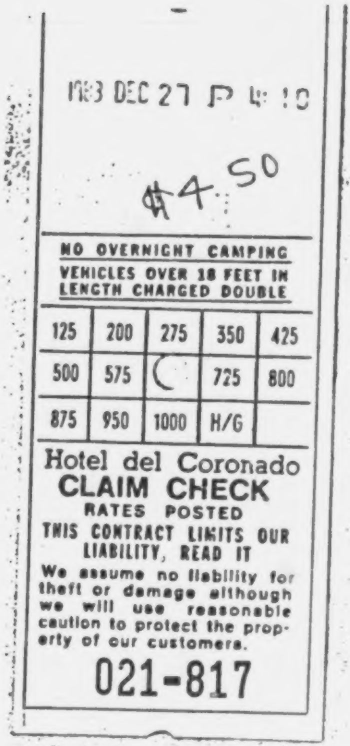
3728 199379 41006

04/83 THRU 04/85 83 AX
FRED J VILLELLA 5103

Establishment	Date of Charge 12 28 83	Approval Code C 2C
		Check or Bill # 3272
	Amount of Purchase	Any charges not entered on your bill at check out
	Taxes	Type of Charge Room Service
	Tips/Misc	Amount of charge 7.92
Signature X Fred J. Villella	Total ~~224.94~~	Revised Total 232.86
Charges recorded hereon were incurred by me and receipt of the service or merchandise is hereby acknowledged		948012

Diners Club | Carte Blanche Copy

948012



1983 DEC 27 P 4:10

$4.50

NO OVERNIGHT CAMPING

VEHICLES OVER 18 FEET IN LENGTH CHARGED DOUBLE

125	200	275	350	425
500	575		725	800
875	950	1000	H/G	

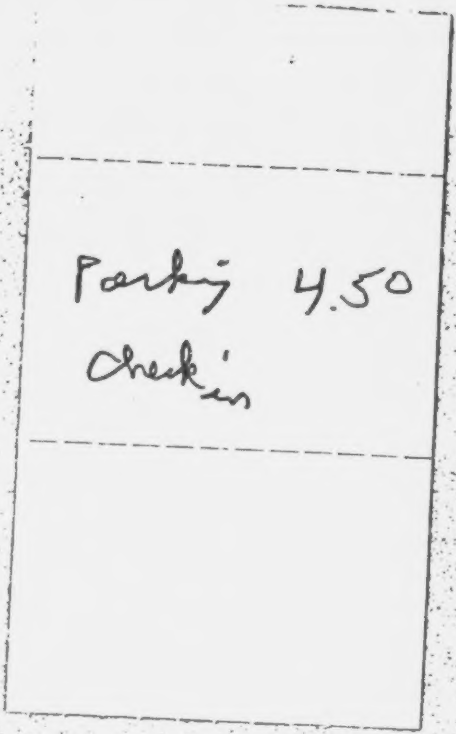
Hotel del Coronado
CLAIM CHECK

RATES POSTED

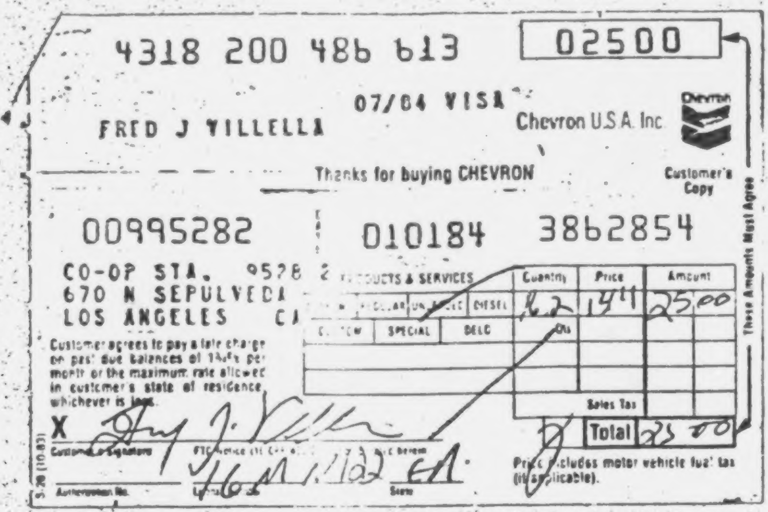
THIS CONTRACT LIMITS OUR LIABILITY, READ IT

We assume no liability for theft or damage although we will use reasonable caution to protect the property of our customers.

021-817



Parking 4.50
Check in



4318 200 486 613

02500

07/84 VISA

FRED J VILLELLA

Chevron U.S.A. Inc.

Thanks for buying CHEVRON

Customer's Copy

00995282 010184 3862854

CO-OP STA. 9578
670 N SEPULVEDA
LOS ANGELES CA

Products & Services	Quantity	Price	Amount
Regular / Unleaded / Diesel	16.2	1.54	25.00
Special / Delc / Oil			
		Sales Tax	
		Total	25.00

These Amounts Must Agree

Customer agrees to pay a late charge on past due balances of 1½% per month or the maximum rate allowed in customer's state of residence, whichever is less.

X

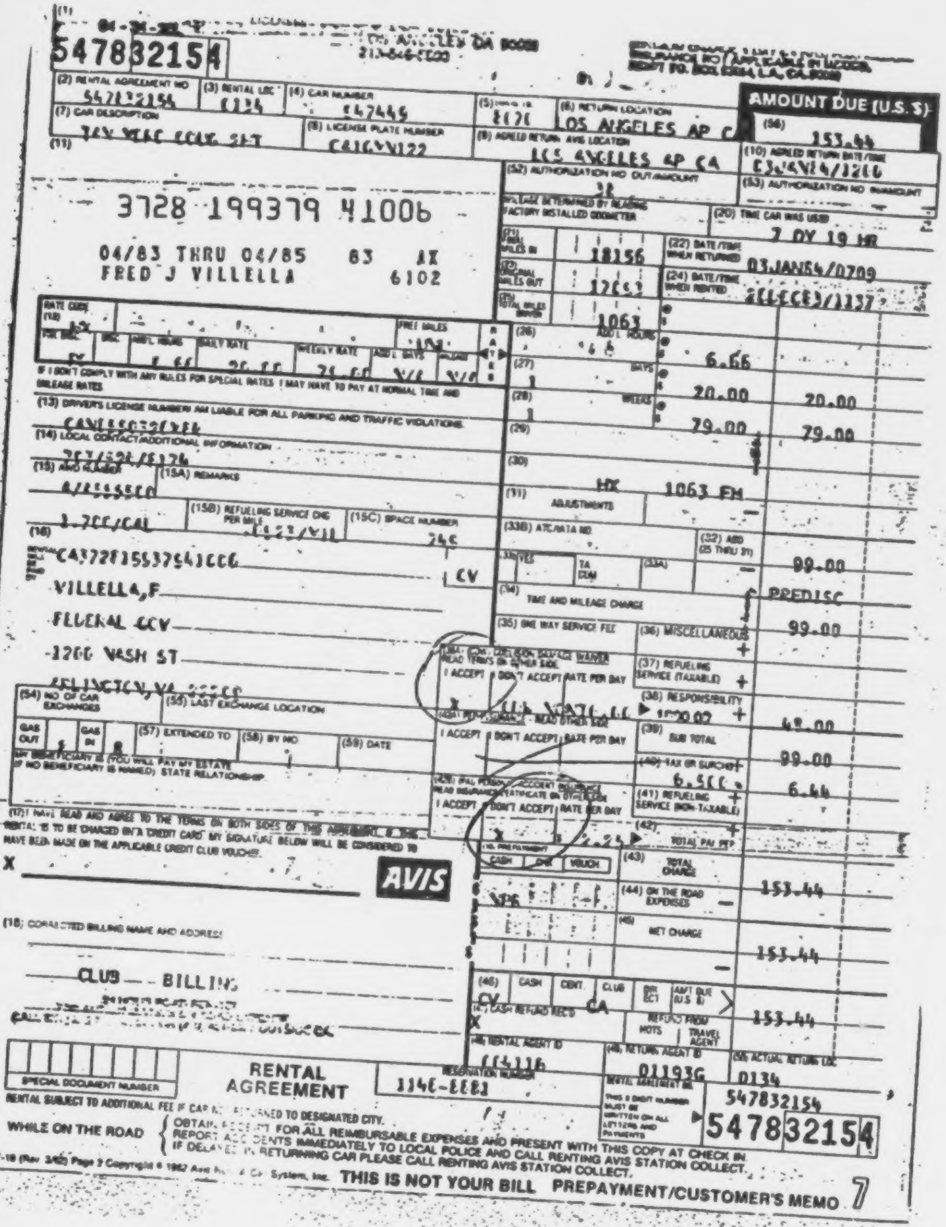
Customer's Signature

Authorization No.

License No. 46M1102

State CA

Price includes motor vehicle fuel tax (if applicable).



(1) 547832154

LOS ANGELES CA
213-646-

(2) RENTAL AGREEMENT NO 547832154
(3) RENTAL LOC 0134
(4) CAR NUMBER 547449
(6) RETURN LOCATION LOS ANGELES AP CA
(7) CAR DESCRIPTION
(8) LICENSE PLATE NUMBER CA1GYV122
(9) AGREED RETURN AVIS LOCATION LOS ANGELES AP CA
(10) AGREED RETURN DATE/TIME
(11)

AMOUNT DUE (U.S. $)
(56) 153.44

3728 199379 41006
04/83 THRU 04/85 83 AX
FRED J VILLELLA 6102

(52) AUTHORIZATION NO OUT/AMOUNT
(53) AUTHORIZATION NO IN/AMOUNT
MILEAGE DETERMINED BY READING FACTORY INSTALLED ODOMETER
(20) TIME CAR WAS USED 7 DY 19 HR
(21) FINAL MILES IN 18156
(22) DATE/TIME WHEN RETURNED 03JAN84/0709
(23) ORIGINAL MILES OUT
(24) DATE/TIME WHEN RENTED
(25) TOTAL MILES DRIVEN 1063

(12) RATE CODE
FREE MILES
HRLY. HOURS
DAILY RATE
WEEKLY RATE
ADD'L DAYS
IF I DON'T COMPLY WITH ANY RULES FOR SPECIAL RATES I MAY HAVE TO PAY AT NORMAL TIME AND MILEAGE RATES

(26) ADD'L HOURS 6.66
(27) 1 DAYS 20.00 20.00
(28) 1 WEEKS 79.00 79.00
(29)
(30) HX 1063 FM
(31) ADJUSTMENTS
(33B) ATC/AATA NO
(32) ABD (25 THRU 31) 99.00
(34) TIME AND MILEAGE CHARGE PREDISC 99.00
(35) ONE WAY SERVICE FEE
(36) MISCELLANEOUS +
(37) REFUELING SERVICE (TAXABLE) +
(38) RESPONSIBILITY +
(39) SUB TOTAL 99.00
(40) TAX OR SURCHG + 6.44
(41) REFUELING SERVICE (NON-TAXABLE) +
(42) TOTAL PAI PEP
(43) TOTAL CHARGE 153.44
(44) ON THE ROAD EXPENSES −
(45) NET CHARGE 153.44 −

(13) DRIVER'S LICENSE NUMBER I AM LIABLE FOR ALL PARKING AND TRAFFIC VIOLATIONS
(14) LOCAL CONTACT/ADDITIONAL INFORMATION
(15) AWD NUMBER
(15A) REMARKS
(15B) REFUELING SERVICE CHG PER MILE
(15C) SPACE NUMBER
(16)
VILLELLA,F
FEDERAL GOV
1200 WASH ST
CV

COLLISION DAMAGE WAIVER READ TERMS ON OTHER SIDE
I ACCEPT | DON'T ACCEPT | RATE PER DAY
X
PERSONAL ACCIDENT INSURANCE READ OTHER SIDE
I ACCEPT | DON'T ACCEPT | RATE PER DAY
PERSONAL ACCIDENT INSURANCE READ INSURANCE CERTIFICATE ON OTHER SIDE
I ACCEPT | DON'T ACCEPT | RATE PER DAY
X

(54) NO OF CAR EXCHANGES
(55) LAST EXCHANGE LOCATION
GAS OUT
GAS IN
(57) EXTENDED TO
(58) BY NO
(59) DATE
MY BENEFICIARY IS (YOU WILL PAY MY ESTATE IF NO BENEFICIARY IS NAMED) STATE RELATIONSHIP

(17) I HAVE READ AND AGREE TO THE TERMS ON BOTH SIDES OF THIS AGREEMENT. IF THE RENTAL IS TO BE CHARGED ON A CREDIT CARD MY SIGNATURE BELOW WILL BE CONSIDERED TO HAVE BEEN MADE ON THE APPLICABLE CREDIT CLUB VOUCHER.

X

AVIS

PREPAYMENT
CASH | CHK | VOUCH

(18) CORRECTED BILLING NAME AND ADDRESS

CLUB BILLING

(46) CV | CASH | CENT. | CLUB CA | DIRECT | AMT DUE (U.S. $) 153.44
(47) CASH REFUND REC'D
X
REFUND FROM HOTS | TRAVEL AGENT

(48) RENTAL AGENT ID
(49) RETURN AGENT ID 01193G
(50) ACTUAL RETURN LOC 0134

SPECIAL DOCUMENT NUMBER

RENTAL AGREEMENT

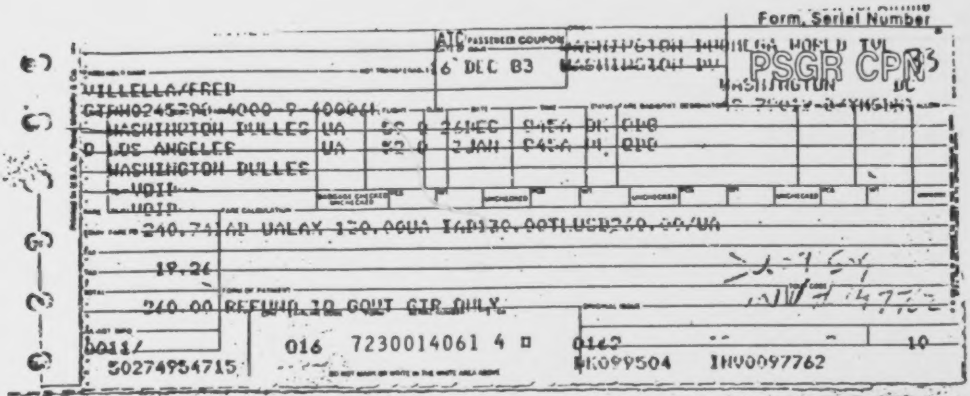
RESERVATION NUMBER

RENTAL AGREEMENT NO.
THIS 9 DIGIT NUMBER MUST BE WRITTEN ON ALL LETTERS AND PAYMENTS
547832154
547832154

RENTAL SUBJECT TO ADDITIONAL FEE IF CAR NOT RETURNED TO DESIGNATED CITY.

WHILE ON THE ROAD
OBTAIN RECEIPT FOR ALL REIMBURSABLE EXPENSES AND PRESENT WITH THIS COPY AT CHECK IN.
REPORT ACCIDENTS IMMEDIATELY TO LOCAL POLICE AND CALL RENTING AVIS STATION COLLECT.
IF DELAYED IN RETURNING CAR PLEASE CALL RENTING AVIS STATION COLLECT.

F-10 (Rev. 3/82) Page 7 Copyright © 1982 Avis Rent A Car System, Inc. **THIS IS NOT YOUR BILL** **PREPAYMENT/CUSTOMER'S MEMO** 7



Form, Serial Number

ATC PASSENGER COUPON

6 DEC 83

~~WASHINGTON OMEGA WORLD TVL~~
~~WASHINGTON DC~~

PSGR CPN

WASHINGTON DC

~~VILLELLA/FRED~~

~~GTRH0245799 4000 9 40004~~

~~WASHINGTON DULLES~~ ~~UA~~ ~~58 Q 26DEC 945A OK QPQ~~

~~LOS ANGELES~~ ~~UA~~ ~~52 Q 2JAN 845A OK QPQ~~

~~WASHINGTON DULLES~~

~~VOID~~

~~VOID~~

~~240.74 AP UALAX 120.00UA IAD120.00TLUSD240.00/UA~~

~~19.26~~

~~240.00 REFUND TO GOVT GTR ONLY~~

0011/

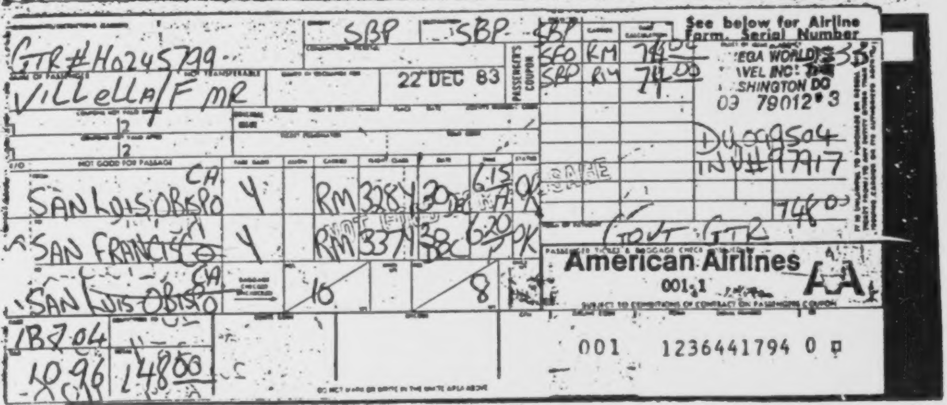
50274954715

016 7230014061 4

0142

DK099504 INV0097762

10



SBP SBP SBP

See below for Airline Form, Serial Number

GTR#H0245799

VILLELLA/F MR

22 DEC 83

PASSENGER'S COUPON

SFO RM 74.00

SBP RM 74.00

OMEGA WORLD TRAVEL INC
WASHINGTON DC
03 79012 3

DU099504
INV#97917

2
2

NOT GOOD FOR PASSAGE

SAN LUIS OBISPO CA	Y		RM	328 Y	30 DEC	6:15 A	OK
SAN FRANCISCO CA	Y		RM	337 Y	30 DEC	6:20 P	OK
SAN LUIS OBISPO CA		10			8		

137.04

10.96

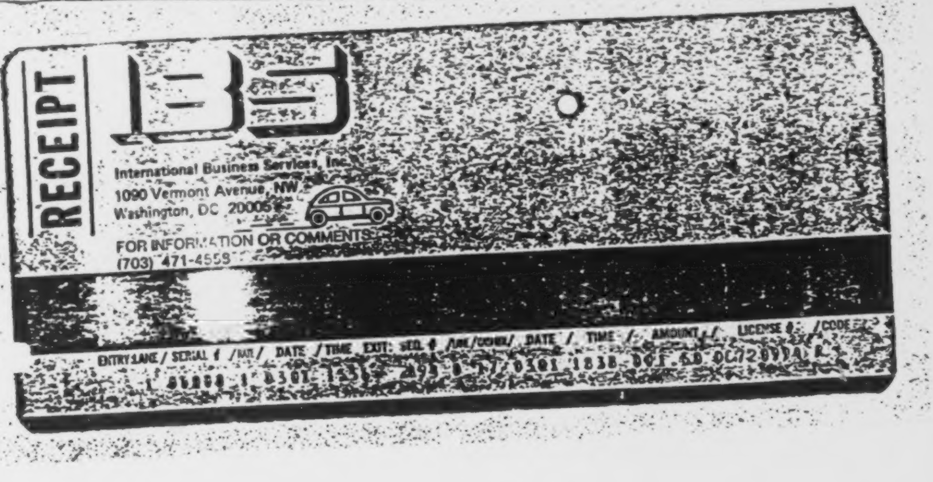
148.00

148.00

GOVT GTR

American Airlines
001 1

001 1236441794 0



RECEIPT

IBS

International Business Services, Inc.
1090 Vermont Avenue, NW
Washington, DC 20005

FOR INFORMATION OR COMMENTS
(703) 471-4558

ENTRY LANE / SERIAL # /RAT/ DATE /TIME EXIT SEQ # /LANE/OPER/ DATE / TIME / AMOUNT / LICENSE # /CODE

1 86808 1 0301 1536 [illegible] 0301 1838 001.60 DC72091A [illegible]

Mr. VILLELLA. Yes, I do recall that, Mr. Reid.

Mr. REID. Now it's my understanding that in fact if someone pays for your room, that under your disclosure form, something that amounts to almost $500, that you have to list that. Is that not true?

Mr. VILLELLA. Mr. Chairman, if it's $250—I'm sorry, Mr. Reid—if it's $250 or more it is to be listed on the disclosure statement. The charge at the Del Coronado was $99 a night.

Mr. REID. I'm sorry. It's my understanding that the total expense was some $318 and the room that you stayed in was one of the nicer ones they had, and that was $150 a night.

Mr. VILLELLA. Mr. Reid, I would be obviously very pleased to give you all of my records on that visit, including my own——

Mr. REID. You can supply that to staff, if your records are——

Mr. VILLELLA. It will show where I paid some $232. I'm sorry, I don't have it with me, but I would be delighted to furnish it to you.

Mr. REID. OK. I have two more things to cover. The first is with you, Mr. Villella. I am somewhat concerned about a number of things, some of which I brought to your attention, but one thing that disturbs me greatly is that you have left the impression that because this Agency was growing, that you did things your predecessors didn't do, that people were out to get you. Now who was out to get you because the Agency was growing? Do you have any names of people that were trying to get your job, cause you trouble?

Mr. VILLELLA. Well, Mr. Reid, I did not attempt to give you that impression. I tried to answer the question as it was directly asked——

Mr. REID. So you disagree——

Mr. VILLELLA [continuing]. As candidly as I could, without attempting to evade it.

Mr. REID. You disagree, then. You don't feel that anyone was trying to cause you any trouble.

Mr. VILLELLA. No, I wouldn't disagree with that. It's just I could not immediately react to that. I don't——

Mr. REID. How long would it take you?

Mr. VILLELLA. I guess you would—you know, there's kind of two sides to this whole thing. One is that I am alleged or accused to have done or permitted to have occurred all of these things, and it was only investigated from that perspective. I am not really prepared to say, because I haven't done an analysis, that much of the grievance is because I have treated people roughly or I have moved too quickly with new programs or I have not, or I tried to change programs. I think there would have to be an objective analysis of that. I don't feel that I should be asked to respond to that kind of a question.

Mr. REID. Well, I am again at somewhat of a loss. You know, I certainly have no ax to grind with you. I mean, I have none whatsoever, but I just feel that for whatever reason—and it might be your personality, I don't know—that you certainly have not answered the questions that have been presented here today.

Mr. Payne, I would like to ask a question regarding an award that you gave to a woman by the name of Harkenrider. Do you remember that?

Mr. PAYNE. I remember Ms. Harkenrider being recommended for an award, it going through the system, the normal channels, and it was approved.

Mr. REID. Of course, it could not have been done without your authorization. Is that right?

Mr. PAYNE. Without my concurrence, yes.

Mr. REID. Are you familiar with that?

Mr. PAYNE. Yes, I am.

Mr. REID. It's my understanding that according to personnel records supplied by FEMA, that she was hired, appointed to a position at FEMA, on Christmas of 1983. This was approximately 6 weeks prior to her getting this award. And that she got this award for something she was going to do in the future. Are you aware of that? That is, put on a women's conference.

Mr. PAYNE. I would have to review the record, but I can't believe that that is correct on the dates. I know that——

Mr. REID. What I would ask that you do, Mr. Payne, is——

Mr. PAYNE. Oh, she was converted from a consultant to—I understand now.

Mr. GORE. We will hold the record open, without objection.

Mr. REID. Yes, and I would very much appreciate your supplying in writing an answer to this question because it seems, you know, not only was this a paper award but she got $950 for an award for something she was going to do in the future, and I would appreciate if you would supply to me and to the committee in writing your answers to that question.

Mr. PAYNE. I would be very pleased to do that.

[At the time of printing the material had not been received.]

Mr. GORE. Will the gentleman yield? Will the gentleman yield on that point?

Mr. REID. Just with this, Mr. Chairman, and then I will stop completely.

It is my further understanding that Mr. Murray, when asked to, who served on this committee, was part of the group that suggested that she not receive this award. Is that true, or do you recall that?

Mr. PAYNE. I recall that, yes.

Mr. REID. Mr. Chairman, I have no further questions, and I would yield to you.

Mr. GORE. If you would yield for purposes of clarifying that, the record which we provided to you and which will be included in the record of this hearing pending consultation with the minority on this point shows that this person was hired Christmas, 6 weeks later was recommended for the bonus award, and the purpose cited for the award was putting on a conference which was going to be 2 months after the time of the award. The bonus award was referred to the regular committee that reviews such awards. They turned it down and said it was not justified, and then you went ahead and approved it anyway for something she was going to do in the future.

Mr. PAYNE. That's true, and I'll provide this in writing to the committee.

[At the time of printing, the material had not been supplied.]

Mr. GORE. Have I summarized it correctly?

Mr. PAYNE. You have, sir.

Mr. Gore. Well, then, that raises the question of why you did that.

Mr. Villella, if you want to testify on that, that's fine, but don't provide the answer to Mr. Payne.

Mr. Villella. I was just trying to help a colleague, sir. I think he misunderstood you.

Mr. Gore. Why did you do that, Mr. Payne?

Mr. Payne. Because of the recommendation—and I am not going to throw it back to the superintendent, the acting superintendent of EMI at that time—that was a well-justified award because of the work that Ms. Harkenrider had done in relation to a national women's conference for——

Mr. Gore. It hadn't happened. It was going to happen 2 months later, right?

Mr. Payne. It hadn't come off, but all the point work that she had done up to that point.

Mr. Gore. She had only been there 6 weeks and the thing was 2 months away?

Mr. Payne. No; she had been there longer than that as a consultant, and then as a permanent employee at this time.

Mr. Gore. All right. I want to recognize my colleague.

Mr. Reid. I would still like something in writing, Mr. Chairman.

Mr. Gore. If you would provide something in writing——

Mr. Payne. I would be happy to.

[At the time of printing, the material had not been supplied.]

Mr. Gore. Let me make note of one thing. It has just come to the attention of the Chair that FEMA is circulating a statement here in the hearing room which is entitled "Backgrounder" about the hearings. The statement says—and it has been handed out, I am told—the statement implies that the hearing is about an investigation initiated by Director Giuffrida, and implies that Director Giuffrida was the one who started the GAO investigation and that the IG investigation was what brought this to our attention, and that we are following up on what Director Giuffrida started.

I mean, that is so wrong as to be ludicrous, and for them to pass this out in the hearing, I just wanted those who got this to know that it is just flat wrong.

Mr. Skeen. Would the chairman yield?

Mr. Gore. This investigation began on March 22 and we began talking with people and interviewing people at that time. The first IG investigation was the last week in April. This subcommittee requested the GAO investigation, not Director Giuffrida, and it includes all kinds of items that the IG never looked at and still hasn't looked at, including the renovations at building G.

Mr. Skeen. Would the chairman yield?

Mr. Gore. Yes, I would be glad to yield.

Mr. Skeen. Does anybody know who did distribute it?

Mr. Goffus. I beg your pardon, sir. I didn't hear you.

Mr. Skeen. Who did distribute this? Who compiled this and distributed it?

Mr. Goffus. Sir, we have compiled—oh, you mean the——

Mr. Skeen. Yes, the "Backgrounder," this "Backgrounder."

Mr. Goffus. I have no idea, sir.

Mr. Gore. Do you know, Mr. Villella?

Mr. Villella. I don't know.

Mr. Skeen. Have you seen it, Mr. Villella?

Mr. Villella. No, I have not seen it and——

Mr. Skeen. Have you see it, Mr. Jett?

Mr. Jett. Yes, I have seen it.

Mr. Gore. Did you prepare it, Mr. Jett?

Mr. Jett. Well, I assisted in the preparation of it. The one pager is frankly designed to simply state to the best of our knowledge that Director Giuffrida did ask Mr. Goffus to look into these questions before you officially asked the GAO to undertake their investigation. I believe Mr. Goffus can confirm that, sir.

Mr. Gore. Did Mr. Giuffrida direct the preparation of this?

Mr. Jett. No, he didn't.

Mr. Gore. Does he know about this?

Mr. Jett. I don't know if he has seen it or not.

Mr. Skeen. Who ordered it?

Mr. Gore. Who ordered it? Did you order it?

Mr. Jett. It was a one-page statement that we thought we should have ready in case there was mounting issues on press inquiries and other kind of inquiries.

Mr. Gore. Who ordered it?

Mr. Jett. Several of us agreed to it.

Mr. Gore. Who?

Mr. Jett. I wouldn't say anyone ordered it, Mr. Chairman.

Mr. Gore. No? Just a spontaneous press release?

Mr. Jett. Well, as a result of the coverage on CBS News last night, Mr. Chairman, we were getting quite a few press inquiries about it.

Mr. Gore. When you say "we," is Mr. Giuffrida part of the "we" in that statement?

Mr. Jett. He was not present at the time.

Mr. Gore. Did he participate in this decision?

Mr. Jett. He did not.

Mr. Skeen. Mr. Chairman?

Mr. Gore. Yes?

Mr. Skeen. I want to express my indignation about the release, too. I just want everybody to know that nobody beats our committee to an investigation. [Laughter.]

We have been very busy with this, and in defense of the chairman over here I just want to say that there ain't nobody can pull a trigger any quicker than we can——

[Laughter.]

Mr. Gore. Let me——

Mr. Skeen. Well, I'm doing it in your defense, Mr. Chairman.

Mr. Gore. Yes, I understand. Let me——

[Laughter.]

Mr. Skeen. Well, good work is good work, and I just think that you ought to be commended for it.

Mr. Gore. Well, I appreciate that. I appreciate that very much.

Mr. Skeen. I think you should appreciate it. [Laughter.]

Mr. Gore. The implication that I object to is the fact that the management of this agency is on top of these charges and that they were on top of it all along, and started this and really it's all under control. This agency is in terrible shape, and the mismanagement here is really shocking, and the lack of regard for ethical principles and for sound management principles is something that I find very disturbing, and——

Mr. **Reid**. Mr. Chairman?

Mr. **Gore**. Yes?

Mr. **Reid**. Would you yield? We still don't have an answer. Who prepared the thing? Who is "we" and "us"—"somebody"? I mean, who was there last night. I would like to know who prepared this silly statement.

Mr. **Jett**. Mr. Reid, I'll try to respond. There were several members of our staff there last night. Our director of press relations, Jim Holton, came in and said:

> We're getting quite a few calls. Do we have a short statement with regard to our appearance before the subcommittee tomorrow? We're having calls from various news syndications and other people following up on the Rather report at 7 o'clock last night.

We felt a short statement was in order. We don't think that the statement misstates the situation. I believe that the calendar would indicate that Director Giuffrida did ask Mr. Goffus to undertake the investigations that have formed a major part of this hearing today. I believe you will find that that investigation was asked by Director Giuffrida before you indicated that you asked the GAO to look into these allegations. We did not intend to usurp the subcommittee but simply make a clarification that many of these allegations were asked to be looked at by our Director, by our IG.

Mr. **Goffus**. I'm sorry, sir. May I respond to that, please.

Mr. **Gore**. Go ahead.

Mr. **Goffus**. I have documentation that the pending investigations were started on March 15, 1984, in a meeting with the Director, myself, Mr. Martin. How it started, there were pending allegations coming from Ms. Donna Darlington who had some grievances against the agency and had seen an attorney and was going to file some of these charges against the agency.

During the course of all of this discussion and all of the rumor, and in discussions with Ms. Donna Darlington and everyone concerned, the Director took this seriously and said, "Investigate Ms. Darlington's allegations." I could not investigate Ms. Darlington's allegations, sir, because I did not have Ms. Darlington's package.

Mr. **Gore**. When is the first time you interviewed someone?

Mr. **Goffus**. April 4.

Mr. **Gore**. All right. When is the first time you gave a report to the GAO?

Mr. **Goffus**. We produced two reports when they asked for it. It was the Director's order that I was to give that report to the GAO.

Mr. **Gore**. Now the first time you gave something to the GAO was July 18, wasn't it?

Mr. **Goffus**. That is probably correct, sir.

Mr. **Gore**. Well, your statement implies that the GAO got on the ball after you notified them about this.

Mr. **Goffus**. No, sir.

Mr. **Gore**: Well, that's what the statement seems to imply. Maybe I'm reading it wrong. It's a minor point, and I don't want to belabor it.

Mr. Goffus. No, I would rather be pretty clear with it, sir, if you don't mind. On building G, that was a GAO look at your request. The Lincoln Continental was the same, and there were several others. There were five total allegations on that.

Now the GAO and I crossed paths during this investigation. We had finished what we called one section of this job that concerned the AT&T. We were partially finished with the other allegations in Ms. Darlington's statement. Now along with the GAO and the rumor, this thing continued to go all the time. GAO and I crossed lines and GAO and I discussed this situation as it was going on, sir.

Mr. Gore. All right. Like I say, I don't want to belabor it.

I believe Mr. Winn was here before Congresswoman Schneider. Mr. Winn?

Mr. Winn. No questions.

Mr. Gore. Congresswoman Schneider?

Mrs. Schneider. Thank you. I must admit I find this hearing very painful. I find it painful for all of those other very dedicated Federal employees who unfortunately are going to be covered with the same type of gray cloud that is being generated here today. I just feel very badly that this lack of response to many of the questions are being raised, but I think it's important to pursue a number of the different allegations that have been made because it is our responsibility to seek clear answers.

Mr. Villella, when was your daughter married?

Mr. Villella. Congresswoman Schneider, it was the 31st of October, I believe, 1982.

Mrs. Schneider. And is it true that you utilized personnel from FEMA to help make arrangements for that wedding?

Mr. Villella. Those that I used, I thought were on a volunteer basis, and as I have discovered, one was not. I have attempted to repay the time that I understand that was spent to assist me. The rest of the arrangements were made by my wife, by my daughter, and friends.

Mrs. Schneider. Well, let me ask you, were these arrangements that were made by some of the personnel performed during Government hours, during working hours?

Mr. Villella. Mrs. Schneider, I don't know the accurate answer to that because I wasn't there every day.

Mrs. Schneider. Did you make any effort to say to those employees, "Be certain that you do not perform these activities for my personal purposes on Government time." Did you forewarn those employees?

Mr. Villella. To the best of my recollection I repeated, "volunteer, volunteer." There was time in evenings that I understood to be voluntary time, and on the day of the wedding, which was a Saturday, which I understood to be again voluntary and off-duty time. Some of the stuff I paid no particular attention to because it was a referral of an individual to play the organ, whom I paid; a referral to someone to hire a band; and it was simply a casual, "Do you know somebody in the area who plays the organ?" I didn't translate that into being an imposition of duty time.

Mrs. Schneider. At any time, did you imply to any of your employees that if they were not helpful with your personal arrangements for your daughter's wedding, that they might not receive the raise or the benefits that they could be looking for?

Mr. VILLELLA. Categorically, no. Absolutely not.

Mrs. SCHNEIDER. Not at all?

Mr. VILLELLA. Not at all. May I add?

Mrs. SCHNEIDER. Yes.

Mr. VILLELLA. I would be pleased to provide to the committee copies of all of the checks for my family's attendance, for the reception, for the organist. I have paid all of that for the wedding.

Mrs. SCHNEIDER. Well, I personally am not interested in that but if other members are interested, fine. I would like to know about, however, did you not suggest that a red carpet be installed in the chapel for your daughter's wedding?

Mr. VILLELLA. The red carpet was an inaccurate reference earlier. There was a red runner that my wife wanted to rent for the wedding.

Mrs. SCHNEIDER. However, in the end it was not rented, it was purchased. Is that correct?

Mr. VILLELLA. No; what happened was, somebody thought they were doing me a nice gesture, and they put the orange and green carpeting in the chapel entranceway which really displeased me and my wife because it covered up that beautiful floor. It was put in there because somebody said, because of the firefighter memorial ceremony that occurred 2 weeks prior, which was our first annual fallen firefighter memorial in the chapel, that we needed to have carpeting down the center aisle. It was not my desire to have that carpeting there. I'm sorry that it got put in there because my wife could not fulfill her hope of having a red runner down there for her daughter to walk to her wedding.

Mrs. SCHNEIDER. I would like to focus on your requests of Sergeant Peresada to perform various personal errands, in addition to the other employees that you had asked to do personal errands, evidently on a voluntary basis. Do you think that she received adequate reimbursement for these various trips to the laundry, bank, dentist, and pharmacy and the other information that has been supplied to us?

Mr. VILLELLA. Well, Mrs. Schneider, I attempted to stay objective and I asked someone else to do that analysis and come up with what I would owe for that period of time. I did not do it.

Mrs. SCHNEIDER. But you were asking someone else who was your employee to spend their Government time monitoring the actions of another employee who was doing personal activities for you?

Mr. VILLELLA. I'm sorry. Perhaps I did not——

Mrs. SCHNEIDER. Non-Government activities?

Mr. VILLELLA. Perhaps I didn't understand you. In trying to properly reimburse for the time is what I understood.

Mrs. SCHNEIDER. Yes.

Mr. VILLELLA. I took——

Mrs. SCHNEIDER. For your personal requests, for your personal errands, you asked yet another employee on Government time to verify that the reimbursement was appropriate?

Mr. VILLELLA. Yes, I did.

Mrs. SCHNEIDER. OK.

Mr. VILLELLA. I thought that was in consonance with the IG investigation that was being conducted. I wouldn't know how else to do it.

Mrs. SCHNEIDER. Recalling the testimony that Sergeant Peresada had given this morning, do you agree with everything that she said?

Mr. VILLELLA. That's a wide-open question. I'm not sure that I would agree with everything she said, no.

Mrs. SCHNEIDER. Well, I noted that during her testimony you were taking notes, and I wondered if you might have noted some things that you disagreed with.

Mr. VILLELLA. I can't quickly recall now. I would look at the notes if you would like me to do that.

I apologize for the delay. Do you have a specific reference that might help me?

Mrs. SCHNEIDER. Yes; let's start with the sexual harassment.

Mr. VILLELLA. Well, Congresswoman Schneider, I would—understanding the discussion that occurred to begin with in this afternoon's session, I think it would be improper for me and inappropriate to even comment on that in this chamber.

Mrs. SCHNEIDER. Mr. Villella, I believe that I share your feelings that there is no need for detail. I just wanted to know if you agreed with the statements that Sergeant Peresada made and, if you didn't agree, I would just like you to say yes or no. I want no further details or information.

Mr. JETT. Congresswoman, I——

Mr. GORE. Mr. Jett, that question is not addressed to you. However, let me interject a comment at this time. The ranking minority member, Mr. Skeen, and I had a colloquy at the beginning of the questioning of this panel, wherein I stated that it was my intention to exercise discretion and not press Mr. Villella for responses to questions about the allegation of sexual harassment. Insofar as it is my discretion, I choose not to do that.

I think there is a difference if a member of the subcommittee wishes to explore a question that is appropriately within the jurisdiction of the subcommittee. I do not think that I have the authority as chairman to compel Congresswoman Schneider not to ask a question about the conduct of officials in an agency that is funded by this committee.

Now I stated my own views. It's a sensitive and difficult question, and I want to handle the matter correctly——

Mrs. SCHNEIDER. I understand that.

Mr. GORE [continuing]. But I do not feel that I have the authority to say to Congresswoman Schneider that she cannot ask that question.

Mrs. SCHNEIDER. Mr. Chairman, I would merely like to add that in the earlier proceedings this morning I was the one that suggested that we not get into any detail, that it was not pertinent to this committee. However, I feel that this ties into the questions that I have been asking about not only the misuse of funds in reimbursement for personal errands but the usage of personnel overall. And I am just trying to tie it together, to what degree and how all pervasive were your requests of your staff? Certainly there was a charge made here this morning that I am sure will be pursued before another committee, and that's fine. I don't wish to pursue it here. My only purpose——

Mr. **Reid**. Would the gentlelady yield, please?

Mrs. **Schneider**. Yes.

Mr. **Reid**. I commend and applaud you for the question. I think it's very broad and general and calls for a yes or no answer, and it doesn't take a mental giant to answer that question.

Mr. **Gore**. Let me advise the witness that you have the opportunity to assert your fifth amendment rights and you may do so without implication or prejudice in so doing. Any American citizen has that right in a forum of this kind, but without asserting that right, you are directed to answer the question.

Mr. **Villella**. My only hesitation is an attempt to try and answer as accurately as I can, based on the recollection of a few notes here. I have to confess to you that I cannot adequately resurrect the notes to give you a very accurate answer. I just can't do that. My notes aren't good enough.

Mrs. **Schneider**. Well, I would just like to share with you that, as I had stated at the outset, taxpayers are watching Washington. They want to make sure that we are spending our dollars wisely. They want to make sure that there is not an abuse of power, and it fits in very clearly with the requests of personnel doing personal jobs and perhaps any ramifications that may result if those employees do not perform those jobs.

Now you had mentioned earlier an attitude of perhaps disgruntlement among your employees. It seems from some of the testimony that has been coming forward that some of that has to do with the situation whereby a boss is asking their employees to do a variety of personal duties. And I will tell you that if you were my boss and you asked me to do a number of things and I knew that you were spending taxpayers' dollars for those purposes, believe me, I would report to a higher being, or I would feel that I wanted to get out of this office very quickly. I would hope that other Government employees feel that same way because the kind of response that I am getting from my constituents about the disrespect that is being generated not only toward Federal employees but also toward Members of Congress is difficult to deal with. I think that this leads me to my next question about some of the internal controls for monitoring contracts and grants at FEMA.

There is evidence that seems to indicate that there is a very high percentage of noncompetitive procurements going on at FEMA; that there is noncompliance with OMB's directive on reducing and controlling wasteful spending, when we here are knocking ourselves out to try to find nickels and dimes in various budgets and how to save money without impacting human need. Also, there seems to be some information that says that contracts and grants awarded in the fourth quarter substantially exceeded the average for the first three quarters.

Now, Mr. Goffus, in your office you reviewed procurement practices in the agency, the most notable of which is a draft audit report entitled "Procurement Practices—Year-End Spending." Your review of fiscal year 1983, fourth-quarter, year-end spending disclosed that a limitation by OMB of the average of the prior three quarter-year totals had been exceeded to the extent of

$486,618,798, or 603 percent by total fourth-quarter contract actions of $10,000 or more. The fourth-quarter volume of these was $567,267,000—and I can't even read this number—or 70 percent of the fiscal year total.

Mr. GOFFUS. That's correct.

Mrs. SCHNEIDER. Well, it seems quite clear that there is an enormous amount of concern over fourth-quarter spending and the appropriations act for FEMA does limit fourth-quarter spending to 30 percent. What is being done?

Mr. GOFFUS. If I might add, I will tell you what is being done, Congresswoman. What is being done, when we called that to the attention of management—incidentally, one contract in there, one contract of a giant magnitude runs that number up, and it was in litigation at the end of the year which caused part of that, but that does not excuse it. It is still extremely high.

Mrs. SCHNEIDER. What was the contract, Mr. Goffus?

Mr. JETT. May I answer?

Mrs. SCHNEIDER. Yes.

Mr. JETT. We were going through a contract procedure, a large system procurement. Most of it is classified. We had several competitors bidding on the system. At the time we were prepared to make contract award to the firm that we felt should receive the award, one of the other bidders sent a protest to the General Accounting Office and also took us to the U.S. Claims Court, received a temporary injunction suspending our action to award it to the person we intended to award it to. That process occurred over quite a number of weeks. I believe on September 29, if my memory serves me correctly, the court lifted the injunction and allowed us to go ahead and make the award. The GAO did not sustain the protest, but it did drive a procurement that was scheduled, I believe, in the third quarter, if I am correct in my memory, into the fourth quarter.

Mr. GOFFUS. If I might also add to this now, corrections have been made. There is a procurement plan in the agency. The monitoring of that plan for fiscal year 1984, this year, if you will, please, it shows that at the end of the third quarter I think approximately 80 percent of FEMA's money has been spent. There is a monitoring on, that is now going on, on a monthly basis. So that was discussed with the Director, with contracting people.

I need to add, ma'am, before that, one of the first things I did when I became IG, when I got somebody down here, we did a procurement survey that we also submitted to the committee.

Mrs. SCHNEIDER. Excuse me. When was that, that you got there?

Mr. GOFFUS. March of 1983. We did a procurement survey. Based on the survey, after we released it to management, to the head of Acquisition Management and to Mr. Martin, the Executive Administrator, there was discussion on this. That's my guideline for doing procurement audits. I am rushed a bit now with this particular thing because out of this come some procurement audits that we have started and also one that we recently finished. OK?

Mrs. SCHNEIDER. OK. Thank heavens that it has finally come about because, needless to say, I share your embarrassment and, of course, have much frustration in recognizing that I am responsible and have to answer on many occasions as a Government official for these actions. You know, certainly the efforts to eliminate the waste, fraud, and abuse is something that we are all very dedicated to, so I commend you for cleaning up the act. I only wish that we didn't have to have it dirtied in the first place.

Mr. GOFFUS. Thank you.

Mrs. SCHNEIDER. I have no further questions, Mr. Chairman.

Mr. GORE. Mr. Winn?

Mr. WINN. Thank you, Mr. Chairman.

Mr. Chairman, I don't want to spend too much time on it but if my notes serve me correctly, you made a statement that the investigations of this subcommittee started on March 22. It is my understanding that the minority was not even informed of these investigations and this action until about 3 weeks ago. I wonder what happened in all that period of time in between.

Mr. GORE. I would be happy to give you a response. I started it personally, as a Member of Congress, on my own personal stationery, and requested the information, and then the subcommittee picked up the work that we did in my personal office shortly afterward.

Mr. WINN. The majority. The majority started it.

Mr. GORE. Yes.

Mr. WINN. The majority staff started, and then 3 weeks ago the minority staff was informed of what was going on. Right?

Mr. GORE. I'm not sure when the minority staff was first informed but we've had a pretty good working relationship on the subcommittee, and I hope that the——

Mr. WINN. Oh, I think you did.

Mr. GORE [continuing]. Minority staff feels that way about it.

Mr. WINN. No, I think you did, the last 3 weeks. I don't disagree with that. I just wondered what happened all that time in between?

Mr. GORE. We were waiting, in part, for the GAO report to come back, and if you feel that we did not consult early enough I will certainly take that criticism and work on it, and we'll try to do better.

Mr. WINN. Well, thank you, Mr. Chairman. Although we are good friends, you know I have felt for quite some time the majority didn't consult with the minority.

Mr. GORE. It's not the first time I've heard it.

Mr. WINN. Not only on this committee, and you'll hear it again until I get through.

Mr. GORE. Well, we're going to miss you when you get through.

Mr. WINN. Thank you very much. [Laughter.]

I'm sure you will.

Mr. GORE. No, we will.

Mr. WINN. I believe that. Thank you.

Mr. Villella, you are a political appointee, are you not?

Mr. VILLELLA. Yes, sir.

Mr. WINN. And at FEMA and the various branches there are civil service employees?

Mr. VILLELLA. Yes, sir.

Mr. WINN. And there are also carryover employees from previous administrations, plural?

Mr. VILLELLA. Yes, sir, that's true.

Mr. WINN. So that could be, as has been a basis in some other administrations and some other agencies, I should say, the possibility—and I am not charging, I am not making any character assassinations here, we've had enough of that today in my opinion—but that could be some of the reasons that some of the people might not approve of your type of operation. I'm not trying to put words in your mouth.

Mr. VILLELLA. That's true. The possibility is true.

Mr. WINN. At the same time, not making it sound like I've been extremely friendly to you today, because I have never seen you before in my life to my knowledge, I think you are going to be charged and should be charged with some very sloppy administration and some bad, bad judgments. And I think that's what the various members of the committee are saying in all different types of ways, whatever their manner might be.

Now let me ask you, if I might, Mr. Murray. This goes back a long time on some of the questions that somebody else brought up, but did Mr. Villella specifically ask you to bill him personally or directly on his stays, overnight stays?

Mr. MURRAY. Did he ask me to bill him?

Mr. WINN. Yes. I think he said in his statement something pretty close along that line that he——

Mr. MURRAY. I don't know that——

Mr. WINN [continuing]. Or Mr. Payne did. I forget which one did.

Mr. MURRAY. I don't know that he actually——

Mr. WINN. Have you had discussions with him or Mr. Payne about billing him directly?

Mr. MURRAY. Yes, sir. In fact——

Mr. WINN. Could that have been a part of the reason for the change in the procedure that Mr. Payne ordered?

Mr. MURRAY. I don't know, sir, whether it did or not. The——

Mr. WINN. Excuse me, and then I'll let you answer. What I'm trying to figure out is why, of all the employees that you have there and the various people that may or may not have stayed overnight out there, why somebody zeroed in on Mr. Villella?

Mr. MURRAY. Well, the practice was to bill people who were staying on the campus, and Mr. Villella was another employee——

Mr. WINN. Yes.

Mr. MURRAY [continuing]. And we kept billing him up until the time that Mr. Payne objected to the billing process, and at that time we no longer billed Mr. Villella. Now the motivation of why Mr. Payne did that, you would have to ask him.

I did go to Mr. Villella after Mr. Payne jumped on me at the staff meeting. I relayed to him what I had said and the direction that I had given to Mrs. Downin. I told him that I thought it was very important that he go ahead and continue to allow the practice of us billing him and also to keep records on when he stayed there. And I think the term I almost used was that "Someday, Mr. Villella, you may want those records because a GAO audit may come around."

And Mr. Villella at that point was indecisive. He did not tell me to continue it nor did he tell me to stop it, but Mr. Payne had——

Mr. WINN. That was probably pretty good advice.

Mr. MURRAY. Well, I thought it was, sir.

Mr. WINN. Would you care to comment on that? Go ahead.

Mr. SKEEN. Would the gentleman yield?

Mr. WINN. Sure.

Mr. SKEEN. Mr. Murray, I would like to ask you, too, what's the record on collections? Is it good, or do you have any no-pays, or what?

Mr. MURRAY. I couldn't answer that for sure but none of them have been brought to my attention.

Mr. SKEEN. Could you find that out?

Mr. MURRAY. Yes, sir. I could find out for you.

Mr. SKEEN. Yes, that's a question, too. Is Mr. Villella the only one that you know of that has not paid?

Mr. MURRAY. Mrs. Downin—he is the only one I know of, yes, sir.

Mr. SKEEN. Does Mrs. Downin know of anybody else that hasn't paid?

Mr. MURRAY. Mrs. Downin might be able to answer that, in the past——

Mr. SKEEN. Well, I am just curious as to what kind of a record that they had.

Ms. DOWNIN. As of the time that I had actually stopped that, he was the only one that was outstanding.

Mr. SKEEN. Was the only one that has not paid?

Ms. DOWNIN. Yes.

Mr. SKEEN. Thank you.

Thank you, Mr. Winn, for yielding.

Mr. WINN. Ms. Downin, when you were handling the books and the billing on overnight stays, at the time of your having that job or that title, were you aware or had you ever heard of any type of a rumor or reputation that top Government employees didn't have to pay for that, didn't have to pay for their overnight stays or weren't being billed?

Ms. DOWNIN. OK. When this was told to me to stop the billing, there was a draft letter in the OGC's office on how it was to be handled. We were awaiting that formal decision.

Mr. WINN. But somebody must have made an inquiry about what the procedure was going to be or what the policy was going to be, or——

Ms. DOWNIN. There had been several comments and there was nothing actually decided.

Mr. WINN. No one individual or group of individuals instigated a letter asking for that opinion on policy?

Ms. DOWNIN. That letter was requested by Mr. Murray at the time.

Mr. WINN. That letter was requested by Mr. Murray?

So, Mr. Murray, you asked that a policy be set?

Mr. MURRAY. Yes, sir.

Mr. WINN. But you must have had some doubt in your own mind of what the policy was.

Mr. MURRAY. Well, I was getting so many objections to this billing process and Mr. Payne's objections to my actions that I felt the proper way to resolve it was to ask the Office of General Counsel an official opinion on the whole housing policy at the center.

Mr. WINN. But prior to that time—I won't disagree with that—prior to that time, there must have been a very vague policy of who was going to be charged and who wasn't going to be charged for overnight stays.

Mr. **Murray**. I think that's essentially true, the policy——

Mr. **Winn**. OK. That's my point. That's what has come out, in my opinion, through the testimony here.

Mr. **Murray**. It was an evolving policy. You know, it was a new center and as we learned and we ran into new situations, we did evolve the policy. Yes, sir.

Mr. **Winn**. Right. Thank you.

Now, Mr. Villella, you mentioned that you never did collect per diem for the nights that you were away from home, that you stayed out there. Were you officially in any way entitled to a per diem? I'm not questioning whether you were or not. I mean, do you have any authority that says yes, you were under certain circumstances?

Mr. **Villella**. I believe that I was, Congressman.

Mr. **Winn**. But you don't know?

Mr. **Villella**. I don't know.

Mr. **Winn**. You don't know?

Mr. **Villella**. I know that I stayed in places other than my home——

Mr. **Winn**. And you were entitled to a per diem.

Mr. **Villella**. On frequent occasions.

Mr. **Winn**. If you were on Government business.

Mr. **Villella**. Yes.

Mr. **Winn**. But you never did inquire of anybody or ask for an opinion in writing if you were entitled to it. What I can't understand is why you would turn down a per diem and then turn around and not pay your $5 a night for your overnight stays, and let such a big issue be made of that.

Mr. **Jett**. Mr. Winn, may I add just a little bit to this? I tried to do something earlier.

Mr. **Winn**. Fine.

Mr. **Jett**. Let me see if I can clarify this, just for a second, if I may.

Mr. **Winn**. Sure.

Mr. **Jett**. Mr. Villella was appointed associate director of training and education, and when he went to assume his duties at the NETC site, that was the first time in the agency's history that we had had a Presidential level person at that site. It was quite clear to the director and to other members of the leadership team that Mr. Villella was going to have a very heavy presence downtown, too. We were working on budget, we were working on program integrations where all the leadership team needed to be together. So, quite frankly, as Mr. Villella has indicated, he was really in a state of flux. For some number of days he would be there; other number of days he would be downtown. He was maintaining a residence for a part of that time in Arlington and frankly, sir, it was difficult to resolve exactly where Mr. Villella's best official location might be. We ultimately resolved—and I don't recall the exact date in 1981—that he would be assigned to NETC, but there may have been times prior to that final decision that that would be his official duty station, that he might have stayed there in this transition situation.

We were new, we were evolving. I realize it may sound confusing today. This is 3 years later than this thing had occurred. We had established a new position that had not been established before. We were breaking in a new system and had a new, higher level official there than had ever been the case before, so we were in a state of flux.

Mr. Villella is saying, "I knew I was billed for $772 but I was asking questions related in some extent to a final reckoning," which I don't believe has been totally finalized yet, a final reckoning of situations where he might have been at Emmitsburg some time in that early time frame in the transition, where he would have honestly been able to say, "I was there on official duty but that was not yet my official duty station. I was there as part of the agency's official responsibilities for that period. My residence was still being maintained in Arlington. I could have received a free room that night or I could have vouchered the Government."

That is simply all he is saying, and we have not resolved that final amount.

I would just summarize and say that Mr. Villella has paid the full amount of the total billings. We are confident that we can reconcile those final numbers quickly but we have not reconciled them right now.

Mr. WINN. I understand that part, and thank you for your clarification. I understood that in the response from Mr. Goffus and Mr. Villella. At the same time, it doesn't look good to not pay your bills, and for a man that claims—and I don't dispute that—the efficiency of your operation out there and the improvements that you have made and the increase in students and all the things that you bragged about earlier, it just doesn't look like a very efficient operation of your own personal bookkeeping. That's what I say. I think that certainly has to come under my description of some sloppy administration in that respect.

Now the chairman was asking you about the apartment—the residence, as it has been referred to—and your title as Executive Deputy Director of the Federal Emergency Management Agency and also your other title of Associate Director of Training and Fire Programs. Your answer wasn't very clear on that, although I think you were trying to say—and I'm not trying to put words in your mouth—that the remodeling was done for the title, whether it happened to be you or someone else. If you were moved to some other agency or took some other job or resigned, that remodeled apartment would be available to whoever replaced you with the same title, would it not?

Mr. VILLELLA. Congressman Winn, I was trying to say that in response to one part of the question.

Mr. WINN. Well, I don't think it came out that way. Go ahead.

Mr. VILLELLA. I was. However, I wanted to quickly add that the purpose for G building, which we have put in writing, was not—the renovation was not for the purpose of making it a residence.

Mr. WINN. Well, that's kind of hard to dispute when in testimony of GAO I think you referred to it and they referred to it—it's in the information the staff has supplied to us—as a residence. At least, let's don't kid ourselves, it is set up with that potential that somebody could move in there for 1 night, a week, a month, maybe on a yearly basis, and that obviously has been some of the correspondence that has been referred to here today along that line of whether that was the intent or not.

But as I understood your comment, although it wasn't too clear, that it was for the title, not for you specifically, although you specifically have the title at this time.

Mr. VILLELLA. That's correct, sir.

Mr. WINN. And the bad part is, in my opinion, the bad judgment is that you approved the expenditures over and above some of the original plans, and either your wife or Mr. Payne's wife or a combination of whoever was involved added some additional things.

Mr. JETT. Mr. Winn, may I again make just a supplemental remark?

Mr. WINN. Sure, and if I'm wrong, correct me.

Mr. JETT. No, you're not wrong, sir. I believe actually the record that the chairman has introduced basically establishes the fact that we were not intending it as a residence, if I can place in context that certain paper.

The memorandum that the Director signed to me on the 5th of March said, "How are we doing on authorizing quarters for NETC East and NETC West?" Now frankly, sir, at the time he wrote that memorandum we had no authorization for a western campus at all. That authorization and appropriation has only finally passed the Congress just a few weeks ago.

The question he was talking about was something that he has always come to understand: That is, that we would have to come to Congress for appropriations and go to our appropriations committee to talk to them about money that might be necessary to establish a residence at NETC East or at NETC West. The way our appropriation bill is designed, if we are reprogramming money from one account to another or if we are moving money from subaccounts, we must come back to our appropriation committee and get their approval. It's a reprogramming limitation, so if you would accept that context for that memorandum that is dated March 3 and—I'm sorry, March 5—and then my note back to the Director of March 9, I believe it indicates that during our appropriation process we may be able to talk about appropriations that might be available for quarters at NETC East and NETC West. That would be one element.

The second, there is some reference that this may be "for me." The Director did say in the memorandum "for me on post," but I assure you, sir, he was not referring—at least it is my understanding that he was not referring to a residence for him. He would not, under law, be entitled to reside either at NETC East or at NETC West. He is the Director of the Agency. His official workplace is downtown Washington, DC, and he would not be authorized by law, literally, to have a residence at——

Mr. WINN. I understand that, and I think that letter is somewhat misleading, although he does say "me," a personal reference, and that is coming from the Director. That is somewhat misleading, and I can see why members of the committee would be confused.

At the same time, the Director could, under certain circumstances, be required, as Mr. Villella might, to stay there overnight.

Mr. JETT. That's true, sir, and he has done that.

Mr. WINN. As a part of his job, yes.

Mr. JETT. That's true, but he does it on a very, very infrequent basis. The NETC West location is going to be in Nevada, so obviously the frequency there would be very limited. Even at Emmitsburg, I think it would show only well, four or five times a year, where he may have a situation where he would stay.

Mr. WINN. Mr. Chairman, I see that there is a vote on but I would just like to ask the Chair for an opinion or a decision based on the fact that we have had included in the cast of characters the name "Ms. Darlington," who supposedly has a long list of grievances against Mr. Villella. I wonder if we are going to hear from her, find out what is behind all that? I think she is in the audience.

Mr. GORE. Well, we haven't listed her as a witness. She is in the audience.

Mr. WINN. No; I know you haven't. I know you haven't. That's why I was asking. I know she is in the audience.

Mr. GORE. Yes.

Mr. WINN. As long as that has been brought up, I wondered if we wanted, if you wanted to hear that. I am not pushing it one way or the other.

Mr. GORE. If you want to call her as a witness, I would be glad to do so. We don't intend to at the present time unless further questions get into areas where it is necessary to get her clarification, but if you want to call her we would be glad to.

Mr. WINN. Yes; I would like to. I would like to know what might be behind these grievances that might have started this whole ball rolling. It might not have. I don't know.

Mr. GORE. Well, we are going to recess for the vote. It is the Chair's hope that we can finish this hearing up by 4:45. We will recess briefly for a vote and then come back, and I have a number of other matters that I want to discuss. I want to find out more about this "brown-bag fund" of $5,000 in cash that was used for—excuse me, I'm sorry—$500 in cash, excuse me, used for various matters and your order, Mr. Payne, to the employees to stop monitoring the records of the telephones to separate out personal long-distance calls from official long-distance calls.

We are going to recess for about 10 minutes. We will come back and then we will hope to finish up the hearing fairly promptly after that.

[A short recess was taken.]

Mr. GORE. The subcommittee will come back to order. If the witnesses who are out in the hallway could come back to the table, we'll get underway.

While we are waiting on them, let me ask you some questions, Mr. Payne. According to earlier testimony, Mr. Payne, you ordered Mr. Kemp to stop monitoring records on the use of the telephones for private long-distance calls. Why did you do that?

Mr. PAYNE. Thank you, Mr. Chairman. I am pleased to have the opportunity to put the record straight from my perspective. I would like to start by stating that I have the highest regard for Mr. Kemp personally and professionally. He has been there from the start of that facility out there and, from the discussions I have had, he has gone through nearly $10 million of renovation of that facility and he has done first-class work for the Government right through.

Now focusing on the telephones, we have a system at NETC that has the capability of recording on a tape outgoing calls, recording the number called from and the number called to. Then that tape is sent to our special facility for transcribing and coming into a computer printout of the telephone calls, and I guess we've got 6 or 8 inches of computer printout of the telephone calls that have been made.

I recall that Mr. Kemp and the individual from the special facility came in and we were talking about possible abuse of the telephone system, and it was concluded that, as Mr. Kemp pointed out, the one individual that appeared had made these telephone calls to his home. We noted that and then my secretary was on that list for making three calls, and I talked to her about this and concluded that they were official business. The individual that was over in the Fire Academy, we called him in and talked to him, I did, asked him about it. He agreed that they were personal calls. He wrote a check to the Treasury and it was sent in through individual miscellaneous receipts.

Now I think the miscommunication, and what comes here with Mr. Kemp, and it's probably my fault and I certainly am not going to challenge Mr. Kemp on his conclusion of what he thought he was doing right, my discussion with him centered around that I felt because of the growth in the facility out there, most of our coordination with the regions, with State and local government, is done by telephone, and recruitment and many of the things that go on, and that I felt that it was a management decision on the telephones as to what was—you know, overuse of the phones or whatever. But as I recall, on that one occasion they were talking about the removal of the telephone in the Budget Office that they considered unnecessary. It was a dedicated phone directly to FEMA headquarters. Then the discussion centered around a telephone in Mr. Villella's office that they had concluded was probably unnecessary.

Mr. GORE. Mr. Payne, if I could short-circuit this a little bit, I don't want a history of the telephone system at FEMA. First of all I want to know, did you or did you not order Mr. Kemp to stop monitoring the private long distance telephone calls and billing people for them?

Mr. PAYNE. It was never my intent, verbally or in writing, to stop recording as they have continued to do——

Mr. GORE. Did you tell Mr. Kemp to stop pursuing that issue and to stop monitoring the private calls?

Mr. PAYNE. That was not my intent. If he——

Mr. GORE. Did you tell him that?

Mr. PAYNE. No, sir.

Mr. GORE. What did you tell him that made him think that you had given him that instruction?

Mr. PAYNE. I told him that that review should be made by management and administration, on the telephone calls.

Mr. GORE. And that he was not to do it any more?

Mr. PAYNE. No, no. Mr. Kemp responded to me, as I recall, in the terms that, well, he just didn't have the resources to do this. My response, well, management and administration certainly has the resources to get that computer printout and review it and make recommendations to management on the telephone calls.

Mr. **Gore**. Wait a minute. You said Mr. Kemp told you he didn't have the resources to do it?

Mr. **Payne**. As I recall, that was our discussion.

Mr. **Gore**. Well, that's not his testimony here.

Mr. **Payne**. No, it's my recollection, sir.

Mr. **Gore**. He said—and without objection, we will include the memoranda, there are two of them, for the record. One of them we have discussed already, dated May 31, 1983, from Robert Kemp to the file: "I was told by Mr. Frank Payne, Management Services Division, not to pursue this subject any further of telephone billings, which I have not." Then he goes on to note that he has been forced to approve the expenditure of taxpayers' funds for telephone billings even though he had questions about whether or not it was a legitimate expenditure of taxpayers' funds, but you ordered him not to worry about that and go ahead and spend the taxpayers' funds anyway, and not look at the personal long distance calls and worry about them any more.

Are you saying that his testimony is wrong?

Mr. **Payne**. I am saying that there is a misunderstanding there; that that was never the intent, verbally or in writing. I have never seen that memorandum you are speaking of, sir. Was I provided a courtesy copy of it?

Mr. **Gore**. We'll give you a copy of it. The other one is dated April 26 from Mr. Kemp, and it recounts a meeting on April 18 that took place in your office, Mr. Payne. Mr. Kemp says he was told very bluntly that he—Mr. Payne—"didn't want me to pursue the telephone issue any further. He said he would instruct me when he wanted me to talk to Special Facility about telephones."

His sworn testimony here, and these memoranda dating back a year and a half, indicate that you ordered him to not monitor these private long distance calls any more.

Mr. **Payne**. I'm sorry that that was his understanding. That was not my intent, and what was stated there on that——

Mr. **Gore**. There was a witness. There was a witness to the conversation, Mr. Payne. Do you want us to get the witness to the conversation up here and settle the dispute? Are we going to have to do that?

Mr. **Payne**. May I take a moment to just read this?

Mr. **Gore**. Yes.

[The documents referred to follow:]

Federal Emergency Management Agency

National Emergency Training Center
Emmitsburg, Maryland 21727

April 26, 1983

MEMORANDUM TO: For the Record

FROM: Robert Kemp Robert Kemp

SUBJECT: Telephone Billing NETC
C&P 301-447-6771 Line

A meeting was held April 14, 1983, at 10 a.m. with Mr. Denny Reed, Communications Supervisor, Special Facility, Mr. David Mullett, American Bell, Mr. Frank Payne, NETC and Robert Kemp, NETC attending.

Mr. Denny Reed opened the meeting discussing ways to save dollars by using FTS and FX lines instead of using the commercial C&P lines. The discussion narrowed to specific areas where money could be saved. The first mentioned was the computer line from the budget office, the second mentioned was the Associate Director's office. The mention of this caused Mr. Payne to state that this was no business of Denny Reed to check on the director's phone calls and he didn't want to discuss it further. Mr. Reed had computer printouts showing the calls made from the telephones at NETC.

Mr. Reed gave me, Robert Kemp, the computer printouts after the meeting, I placed them on my desk. Within a short period of time Mr. Payne came to my office and directed me to bring them into his office and place them on the desk. I followed his instructions.

On April 18, 1983, at 8:45 a.m. I received a call from Mr. Denny Reed regarding the meeting of April 14, 1983. He asked if I had reviewed the computer printouts. I informed Mr. Reed of the instructions given me by Mr. Payne. While talking on the phone I was facing the window wall with my back turned to the interoffice connecting door. Without my knowledge Mr. Payne stood in the room and heard my conversation with Mr. Reed. After about 3 minutes Mr. Payne walked to center of room, so I could see him, he directed me to come to his office. I told Mr. Reed of this and stopp the conversation. The conversation I was having with Mr. Reed was a discussion about grouping the calls made on each phone. Mr. Payne overhead me discussing this with Mr. Reed.

I went into Mr. Payne's office and was told very bluntly that he didn't want me to pursue the telephone issue any further. He said, he would instruct me when he wanted me to talk to Special Facility about telephones.

On April 29, 1983, in a meeting with Mr. Duane Murray I informed him of the above.

Mr. David Mullett, American Bell discussed the installation of a phone system with the capability of recording outgoing calls.

Miss Dawn Gravels overhead the conversation between Mr. Payne and myself.

Federal Emergency Management Agency

National Emergency Training Center
Emmitsburg, Maryland 21727

May 31, 1983

MEMORANDUM FOR: To the File

R. Kemp

FROM: Robert Kemp, Assistant Facility Manager

SUBJECT: C& P TELPHONE BILLINGS FOR MAY 19, 1983

On May 31, 1983, after reviewing the C&P Telephone billing, dated May 19, 1983. After careful review of the itemized listing, there are questions as to the amount of dollars of some telephone calls, the numerous calls made to a specific telephone number during the work day, and whether these charges and calls are "official business."

I was told by Mr. Frank Payne, Management Services Division, not to pursue this subject any further (telephone billings) which I have not.

The telephone billing for May 19, 1983, has been approved by me, however, I have many questions as to the content in the itemized listing.

Mr. **Payne**. As I recall, my statements centered around the review by the individual from the Special Facility. There was certainly not any objection to converting this magnetic tape to a computer printout and management and administration reviewing it.

Mr. **Gore**. Well, I hope you will forgive me if I draw my own conclusion that Mr. Kemp's memory on this is more reliable. That is just my own conclusion, because it is in keeping with your instructions to stop the billing for the use of the rooms, also. It's the same thing you did there, and Mr. Villella had had a problem with the personal phone calls also. Is that correct? Was that brought to your attention around this time?

Mr. **Payne**. That was not brought to my attention that there was any indication that Mr. Villella was making personal phone calls. It was just a question of the phones in his office.

Mr. **Gore**. Well, that's in the inspector general's report of July 18, but let me move on to something else. The so-called "brown-bag fund." I have a memo here that describes it as a $5,000 fund, but you say it's a $500 fund. Who knows about that?

Mr. **Goffus**. I know about that, sir. I'll be happy to comment on that. It was a $500 fund, at least when it was called to my attention by Mr. Villella and Mr. Murray. This was shortly after I became inspector general. The so-called brown envelope bag was called to my attention.

It had occurred, it resulted from overages in the NETC imprest fund. It had been closed in April 1982, before I became inspector general, before I ever knew—I never knew anything about it. It was closed. There were really no records to audit with the exception of the cashier's—the last cashier record. Mary Wyatt—I'm sorry—Mary Crilly was the cashier. And I looked at her records which consisted of parking tickets, Mr. Villella's medical bill which was repaid after that, and several loans that were made through that and then it was finally cleared. There was really no documentation to audit with the exception of the records that Ms. Crilly had.

At the same time, when we went through NETC we audited the $5,000 imprest fund, the official imprest fund. It was being taken care of.

Mr. **Gore**. OK. Now in your investigation as inspector general, I suppose you found out who started the brown-bag fund, didn't you?

Mr. **Goffus**. It was started by Mr. Boehne, to the best of my recollection, sir.

Mr. **Gore**. All right. And it was used to pay a medical bill for you, Mr. Villella, some parking tickets and stuff like that?

Mr. **Villella**. I found out about the fund, Mr. Chairman, obviously a small, $500 fund that I was not aware of——

Mr. **Gore**. Well, you were aware of it paying your medical bill, weren't you?

Mr. **Villella**. That's when I became aware of the fund. As soon as I found out that the medical bill for $14.50 was paid out of that fund, I immediately wrote a check and, in conjunction with Mr. Murray, we took a look at the fund to have it audited by the inspector general and closed out.

Mr. GORE. All right. We've got another vote on the floor. Mr. Reid will be back in just a moment and we will crank it up in just 2 or 3 minutes.

[A short recess was taken.]

Mr. GORE. The subcommittee will come back to order.

As I said earlier, we were going to try to finish up by 4:45. Mr. Winn, I believe you had some other questions. Did you want to speak to—you wanted to call to the witness stand Ms. Donna Darlington. Is that correct?

Mr. WINN. Mr. Chairman, in view of the hour and the fact that since I made that request it has been brought to my attention that there is litigation pending involving Ms. Darlington on her grievances, and I think that it probably could well be beyond the scope of this committee, and so I withdraw that request. But I would like to make a statement, if I might, to close my part of it.

There seemed to be a lot of concern around the room when a "Backgrounder" piece of paper was discovered going through the crowd, and some criticism. I think what this is—and I just now have it in my hand and I am just now reading it—that's probably an effort to fight fire with fire. When those who were asked to testify here today and those sitting in front of us read in all three of the big local papers this morning not only that there was going to be an investigation, which came out of our hearing, which obviously came out of the news release that was sent out by the committee yesterday, but with an awful lot of information that they probably have never heard of, never seen before. And it's my contention that that information was supplied to the press yesterday by the majority staff of this subcommittee. And I do not find it surprising at all—although Mr. Reid did, and I highly respect that gentleman, too—for the witnesses coming before the committee today not prepared to answer a lot of those charges even though they were on, I think, CBS News last night, and I didn't see the rest of them, and in all three of the main papers.

I just wish this committee wouldn't play this stuff in the press. I know it gets press for individual members but I think we have a job to do, and I commend the chairman for holding these hearings on the problems and the possible abuses out of FEMA, and I commend the chairman for that. But I also would just like to say that I wish whoever is involved—and I think I have a pretty good idea—that they wouldn't play this stuff in the press. I don't think it's necessary, although the press certainly has the right to be here anytime—and particularly in advance, and that's what I'm unhappy about. Thank you very much, Mr. Chairman, for your courtesies.

Mr. GORE. Well, thank you, and let me say again that I deeply appreciate the work and cooperation of the minority and the minority staff in this investigation. Even though we have had a few differences, on the main thrust of trying to stop the waste of taxpayers' funds there is, of course, agreement and we have a much more productive work product when we work together, and I appreciate that fact.

Let me say that we are not going to stop this investigation with this hearing. We are going to pursue it. I personally am anxious to question Mr. Giuffrida. We will consult with the minority about how to proceed. It may very well be that we will wish to refer some of these matters to the Justice Department.

We will pursue many of the matters that have been raised, and we may announce the scheduling of another hearing at a later time during which other evidence will be pursued and during which time Mr. Giuffrida will respond to questions about his management of the agency during which time these episodes took place.

In view of the lateness of the hour I do not have other questions at this time. I would like to thank the witnesses who have appeared throughout the day for their appearance here and for their responses to the questions.

Mr. Villella, you know, of course, that the evidence leads to what I view as the inescapable conclusion that there has been mismanagement and waste of taxpayers' funds and other serious problems at the Agency. As I said earlier, we will decide as a subcommittee how to pursue those matters, but we appreciate all of you coming here.

Mr. SKEEN. Mr. Chairman?

Mr. GORE. Did you want to say something?

Mr. SKEEN. Yes, sir.

Mr. GORE. Go ahead.

Mr. WINN. I would just like a parliamentary inquiry, if I may. Do we have unanimous consent to submit additional questions to any of the panelists? I don't believe that was mentioned at the time today.

Mr. GORE. Yes, absolutely, and I hope that you all will be willing to answer additional questions in writing. We don't expect there to be a large number but if you would be willing to do so, we will make the same request of the members of the other panels.

Mr. SKEEN. We can leave the record open.

Mr. JETT. We will do that, Mr. Chairman.

Mr. GORE. Pardon me?

Mr. JETT. I had to answer your question. Thank you.

Mr. SKEEN. We will leave the record open, then, Mr. Chairman?

Mr. GORE. For additional written questions and responses, yes.

Mr. SKEEN. For additional comments? Yes, sir. All right. Fine.

Mr. GORE. We want to put some of these additional memos in. Let me just ask unanimous consent that additional materials be put in the record after consultation between the majority and the minority, as it is appropriate to supplement the questions. Where there were questions about a particular memo, if the majority and the minority feel it is appropriate to have that memo in, we'll put it in.

Mr. SKEEN. Thank you, Mr. Chairman, and I would like to conclude by saying that I can certainly assure you that we are not going to stop this investigation or any other investigation into this kind of a matter. I don't know that some may think that some of the points are trivial and some not so trivial, but in general I think the perception is that we want a Government that is run as efficiently as possible with the least amount of waste.

In the matter of Mr. Giuffrida, I am going to reiterate what I said before, that I believe that the gentleman would make himself available and it was my information that he would, and I certainly hope that we can accommodate him, Mr. Chairman, at a later date and have as full and open a discussion as we have had today. I commend you on the work that has been done. It is a bipartisan effort, though sometimes we feel like we are called in a little late, but nevertheless we're here.

We're not going to set bail today, Mr. Villella, but we'll probably see you later in this discussion, and that's all I have, Mr. Chairman.

Mr. GORE. Let me make one final comment. I hope this hearing will send a message to all other agencies and departments that any behavior like the behavior that we have looked into here today that falls within the jurisdiction of the Science and Technology Committee is going to be investigated extremely thoroughly. We are not going to tolerate it. We are going to root it out. We are going to do everything within our ability to stop this waste of taxpayers' funds.

With that, this hearing is adjourned.

[Whereupon, at 5 p.m., the subcommittee recessed, to reconvene at the call of the Chair.]

APPENDIX TO HEARING OF
AUGUST 1, 1984

EDERAL EMERGENCY MANAGEMENT AGENCY
OFFICE OF INSPECTOR GENERAL

REPORT OF INVESTIGATION

File No.: 00-0084

ubject: FEMA MANAGEMENT - Various Levels

Program: Internal

Violation(s): Federal Procurement Regs Mismanagement

Date: July 18, 1984

By: Charles E. Richter
Charles E. Richter

At: Washington, D.C.

Status: Pending

Synopsis:

Reference (a): OIG Report of Investigation dated May 14, 1984, same subject.

Investigation of allegations re: improper actions of Fred J. Villella, Executive Deputy Director and Associate Director for Training and Fire Programs, FEMA; and, personal use of Government vehicle by Louis O. Giuffrida, Director, FEMA; disclosed the following:

Director's use of Government vehicle between home and office is in accordance with advice of FEMA General Counsel, giving consideration to a GAO opinion. No additional cost to Government for stereo radio in leased vehicle.

Some evidence indicates personal use of Government vehicle by Associate Director, but is insufficient to establish full extent of such use. Former driver contends she drove him from home to office on average of twice a week for a year. Villella denies this but admitted there were some instances when she drove him from to work in the Government vehicle. He said that in most instances she picked him up at home to take him to a meeting or to the FEMA office in Washington, D.C.; that there were times that meetings were cancelled or changed at the last minute, the driver picked him up at home based on instructions from the previous evening and drove him to NETC instead. The driver used the vehicle on occasion for Villella's personal business, e.g., taking him to the doctor, trips to the cleaners, drugstore, bank, etc. Villella admitted there were some instances of this.

Villella stayed overnight at NETC on several occasions, has been billed for $772 for this, and has not paid the bill. Villella said that he intends to pay the bill, but feels it should be reduced or offset because he never claimed per diem or other expenses in connection with his assignments to different duty stations in Washington, D.C. and Emmitsburg, MD.

NETC contractor employees were driven from NETC to Villella's residence in Chevy Chase, MD in Government vehicle for the purpose of cleaning the residence. All but the driver were paid by Villella. The driver was on duty status and paid overtime by the contractor. The exact date and amount of time spent is not known. Villella said that he intended them to do the work when they were off duty and to use their personal cars. He thought he had paid for all of them from his personal funds.

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John T. 7/18/84

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(11/79)

There is evidence that Villella used a contract security guard at NETC as his driver for a little more than one year, performing personal business for him on occasions, as indicated above. She also frequently performed routine office duties not related to the normal duties of a security guard.

Villella used NETC facilities for his daughter's wedding and reception, but paid for everything from his personal funds. It is the policy of NETC to allow staff members to use the facilities on such occasions.

No state income tax was being withheld from Villella's salary for a period of time. This was due to an oversight on the part of the FEMA payroll office and Villella, and has been corrected.

Villella admitted calling his wife in California from NETC, but he used the non-commercial lines and said that there was no cost to the Government. He is aware that there is a problem in some students using NETC phones to make long distance calls. They are not familiar with the Government lines and use commercial lines. Measures have been taken to restrict their use of the phones.

The following indicates that certain allegations are unfounded:

- No orthopedic seats were installed in Villella's leased Government car.
- A $30 imprest fund advance was kept in Villella's Government car for tolls and gas; but he signed for it, was accountable for it, and was reimbursed when receipts were turned in.
- A queen sized mattress was purchased for a suite at NETC that is used by executives and high ranking persons visiting NETC. No evidence was developed that such a mattress was purchased for a lady consultant.
- A recliner chair was purchased for the same executive suite as the mattress. It was not purchased under a Sears Blanket Purchase Order set up for audio-visual equipment only.
- A TV "dish" antenna was purchased for $10,000 primarily for use as a training vehicle and for student entertainment at NETC. Although it was initially hooked up to a TV in Villella's office in Bldg. N, there is no evidence that it was intended for his personal use.

The following evidence was also developed that pertains to the allegations referred to GAO by Congressman Gore:

- A personal medical bill of Villella was paid from NETC's Imprest Fund, amounting to $14.50. Villella reimbursed the Government by personal check. An OIG audit of the fund was conducted and a separate report issued.
- When the leased vehicle assigned to Villella was involved in an accident, a Lincoln Continental was issued as a "loaner" vehicle at no cost to the Government.
- An oriental design rug was purchased from Sears by NETC for use in Villella's office reception area where his Secretary sits. It cost approximately $900 and was purchased because Villella's office had an oriental rug that was acquired in the purchase of NETC. An NETC official advised that an informal cost analysis revealed that top line wall-to-wall carpeting would have cost the same or slightly higher. There are no written documents to support this cost analysis.

BACKGROUND

Reference (a) reported results of the investigation into several allegations made by Donna Darlington in her complaint about reprisal actions taken against her for whistleblowing. In her complaint she made several allegations about improprieties in certain FEMA contracts and FEMA contracting in general. During the investigation Darlington was interviewed and provided additional information about what she considered questionable use of government vehicles by some of the top FEMA executives and she questioned several activities on the part of Fred J. Villella, Executive Deputy Director and Associate Director of Training and Fire Programs. Other allegations of irregular activities on the part of Villella was uncovered in the investigation.

Congressman Albert Gore, Jr., in a March 22, 1984 letter to the Comptroller General of the United States, requested the General Accounting Office to look into some allegations of irregularities at FEMA involving Villella. (Attachment 1). A summary of the allegations listed in Congressman Gore's letter are that Villella:

1. paid personal medical bills from NETC's Imprest Fund;
2. converted three contractor positions into Civil Service positions for three friends, in possible violation of Civil Service regulations; and, improperly upgraded another associate from a GS-13 to a GS-15;
3. converted a building at the National Emergency Training Center (NETC) to provide eight bedrooms for executives at a cost of $300,000;
4. drives a Lincoln Continental at government expense; and
5. has non-GSA (purchased) oriental rugs in his office.

In order to avoid overlapping with GAO FEMA Office of Inspector General (OIG) personnel did not investigate the allegations in the request to GAO; however, during the course of investigating the complaints made by Darlington, the GAO and OIG investigations did overlap to some degree. This report contains the findings of the OIG investigation into the allegations concerning questionable activities on the part of Fred J. Villella and the misuse of government vehicles by some top FEMA executives.

ALLEGED QUESTIONABLE OR IRREGULAR ACTIVITIES

Reference (a) reported an interview with Donna Darlington in which she cited some examples of actions or activities of Villella which she considered questionable. (Attachment 2). These were as follows:

1. The leased car Villella drives has special orthopedic seats installed in it because he has a bad back;

2. This leased car was the only car Villella had access to for a long time and she implied he used it for other than official business;
3. He allegedly has a $30 imprest fund in the car which he used to pay tolls and gas; however, he does not turn in the receipts for these purchases;
4. He allegedly had a queen size mattress purchased with government funds for a lady consultant at NETC;
5. He purchased a leather chair for his Office from a Sears blanket purchase agreement that was set up for NETC to purchase audio-visual equipment only;
6. He had NETC purchase a $10,000 microwave TV "dish" antenna to pick up TV signals for his TV at NETC. This was done initially for his use but now is used by other TV's at NETC;
7. He used contract employees (housekeepers) to clean his personal home in the Washington, D.C. area prior to his wife arriving from California; he had the housekeepers paid overtime and transported to his home in a government vehicle;
8. He has an outstanding debt he owes NETC for nights he stayed overnight at NETC and he has not paid any money against this debt; and
9. He has extensively used the NETC telephones to place long distance personal calls to his home in California at night.

Darlington stated she felt that some of FEMA's top executives, namely Villella (as noted above) and Louis O. Giuffrida, Director of FEMA, were using government vehicles improperly. She noted that Giuffrida's car had a special stereo system put in it at a cost of $200; that he puts 2,000 miles a month on it which she felt was more than necessary for official business and that the car had been in an accident and she did not know who paid for the repairs.

As indicated above, other alleged irregular activities of Villella were uncovered during the investigation and they are as follows:

1. No state income tax has been withheld from his salary since February 1983;
2. He used NETC facilities for his daughter's wedding; and
3. He used an NETC contract security guard as a personal driver for several months.

INVESTIGATIVE FINDINGS:

THE LEASED CAR VILLELLA DRIVES HAS SPECIAL ORTHOPEDIC SEATS INSTALLED IN IT BECAUSE HE HAS A BAD BACK

The leased vehicle given to Villella to drive as the Director of NETC did not cost FEMA any more money no matter what type of accessories were put on it. Special orthopedic seats were requested for the car but they were not available. Regular 6-way power seats were installed. See Attachments (3) and (4)

THE LEASED CAR WAS THE ONLY CAR VILLELLA HAD ACCESS TO FOR A LONG TIME AND HE MAY HAVE USED IT FOR OTHER THAN OFFICIAL BUSINESS

There is some evidence that the Government vehicle assigned to Villella was used for his personal business. However, the evidence is insufficient to prove the extent of such use. He had Connie Peresada, the contract security guard who was his driver, do some personal errands using the vehicle. This aspect will be discussed later in this report.

Villella stated that he had to split much of his time between FEMA Headquarters and NETC and therefore it was proper for him to drive the vehicle to his residence in the evening if he was scheduled to attend a meeting in FEMA Headquarters the next day. A witness stated that he was seen on occasion leaving NETC in the leased vehicle at about 8:00 p.m., ostensibly going to his home. However, it was reported by both the witness and Villella that this may have been a time when he planned to go to FEMA Headquarters the next morning. No vehicle logs are maintained on Villella's leased car. Other testimony indicates that Villella on occasion did rent a car for his own use on weekends; that someone did occasionally drive him to and from work at NETC in their personal car. See Attachments (5) and (8).

$30 IMPREST FUND CARRIED IN VILLELLA'S CAR

Villella has been given $30 on an interim receipt from the NETC Imprest Fund to be used for gas and oil in the leased vehicle assigned to him. He is reimbursed from the Imprest Fund whenever he turns in receipts he received for the purchase of gas and oil. Villella signed for the money and he is accountable for it. He does not have a U.S. Government gas credit car for the leased vehicle he drives. See Attachments (6) and (9).

PURCHASE OF A QUEEN SIZE MATTRESS WITH NETC FUNDS FOR A LADY CONSULTANT

A queen size mattress was purchased and put in the executive suite in Building A at NETC. This suite is used to house high ranking dignitaries that visit NETC. See Attachment (8) and (10).

PURCHASE OF A LEATHER CHAIR FOR VILLELLA'S OFFICE FROM A SEARS BLANKET PURCHASE AGREEMENT THAT WAS SET UP FOR NETC TO PURCHASE AUDIO-VISUAL EQUIPMENT ONLY

A leather recliner chair was purchased from Sears via a small purchase requisition and not through Sears blanket agreement (BPA). The leather chair, like the aforementioned mattress, was put in the executive suite in Building A. It is to be noted that purchases from BPA's are not strictly limited in scope as to what can be purchased through it. This BPA may have been set up for for the primary purpose of puchasing audio-visual equipment but it could be used to purchase other items also, such as furniture. See Attachment (3), (10) and (11)

$10,000 MICROWAVE TV DISH ANTENNA PURCHASED INITIALLY FOR USE BY VILLELLA'S OFFICE TV SET

A microwave TV dish antenna (satellite earth station) was purchased for $10,000 for NETC and was initially hooked up to the TV set in Villella's office. Villella denied he wanted the earth station hooked up to his office TV and one witness confirmed this. One other witness contended Villella said he wanted the earth station hooked up to his TV set. In any event, the purchase of the earth station was for the primary purpose of using it as a training vehicle and to provide entertainment to the students at NETC. See Attachments (8), (10), (12), (13), and (14).

USE OF CONTRACT EMPLOYEES (HOUSEKEEPERS) TO CLEAN HIS PERSONAL RESIDENCE

Villella did hire 4-5 housekeepers at NETC to clean his personal residence. They performed the work when they were off-duty and he paid them from his own personal funds. The housekeepers were driven to his home via a government vehicle by contract security guard Connie Peresada while she was on duty and subsequently she received overtime. Peresada did get permission from the Transportation Coordinator at NETC to use a government vehicle; however, since Peresada was acting as Villella's driver, it was assumed by the Transportation Coordinator that Peresada was to use a government vehicle. Peresada was under the same impression in that she understood her instructions were to take the housekeepers to his home in a government car. Villella contended he meant for the women to go in one of their own cars with Peresada going along with them to show them the way. Additionally, he meant this to be done when they were all off duty and he intended the money he paid the lady in charge to be divided up amongst all the people who did the cleaning (to include Peresada). The housekeeper in charge of the cleaners contended the money she received was to be divided up amongst the housekeepers and did not include Peresada. Additionally, she did not think anything about going to Villella's home in a government vehicle. She assumed he had authorized the use of the vehicle. See Attachments (6), (8), (15-18).

OUTSTANDING DEBT VILLELLA OWES NETC FOR TIMES HE STAYED OVERNIGHT THERE

When Villella was first assigned to NETC he stayed overnight in government quarters at NETC several nights. Every night he stayed at NETC he was charged $5.00 and subsequently billed that amount per night. As of December 31, 1982, he had an outstanding bill of $772.00 that he owed NETC for lodging. Starting with January 1983, procedures were changed at NETC and it was no longer possible to determine the nights Villella stayed at NETC. Additionally, in March 1983, a new policy was established by the Comptroller whereby FEMA employees staying in NETC lodgings were no longer required to pay the $5.00 per night when attending courses, meetings, or other official business at NETC. A review of policy statements and interviews of General Counsel and NETC officials disclosed that permanent employees of the NETC staff were not allowed to stay overnight at NETC for convenience except in unusual circumstances such as the person being required to stay late into the evening at NETC because of official business.

Concerning the $772.00 bill owed by Villella, he has not paid any part of the bill as of May 3, 1984. Villella reported he intends to pay this bill but he felt certain questions should be resolved first. When he first came to FEMA there was some question as to where he was going to be assigned. He leased a house in Virginia initially and then he was moved to NETC, which resulted in him having to pay rent for a house in Virginia he could not use. He would like a decision as to whether or not he may receive some relief for these extra rent payments. Once he receives this decision he will decide whether or not to submit per diem claims for this period. See Attachments (5), (8), (19-24).

USE OF NETC TELEPHONES TO PLACE LONG DISTANCE CALLS

The telephone system at NETC has the capability of logging every outgoing call made from any telephone at NETC. The log contains the number called and the calling number. Monitoring this log was done monthly until July or August 1982 and since that time only sporadic checks of the log have been conducted. The last such check was in April 1983. According to the Assistant Facility Manager at NETC, the last hard copy of this telephone log was received sometime in late 1983. To the best of his knowledge, no one has ever checked the telephone usage of Villella's telephone and there is no evidence that he used the NETC telephones to make long distance personal calls. Villella admitted that he did occasionally call his wife from NETC while she was still in California but he did it on non-commercial lines and thus there was no cost to the government. He was of the opinion that because he was separated from his family on official business that this was permissable. See Attachments (8), (10) and (12).

IMPROPER USE OF GOVERNMENT CARS BY THE DIRECTOR

The FEMA General Counsel has advised the Director that according to a GAO Opinion, he may continue to use the government vehicle as he has been until the close of the 98th Congress, after which GAO may question the use of government vehicles for non-cabinet agency heads between home and office. The optional equipment put on the FEMA leased cars is included in the basic price of the lease. Having an AM/FM stereo radio in the vehicle does not increase the basic price of the contract.

The Director's car was involved in an accident. However, a check with the Ford Motor Co. disclosed that it is insured with two carriers. These two insurance carriers pay for all of Ford's losses due to accident related damage to government leased vehicles. The government is not liable for payment of repairs to leased vehicles and FEMA did not have to pay for any repairs done to the vehicle. See Attachments (3) and (25).

NO STATE INCOME TAX HAS BEEN WITHHELD FROM VILLELLA'S SALARY SINCE FEBRUARY 1983

This was true and resulted from an administrative oversight on the part of the FEMA Payroll Office and Villella. In February 1983, Villella wrote a memo to the Payroll Office requesting that the withholding of state income tax for the State of California be discontinued because the required amount of tax had been withheld from his salary. Villella admitted that he failed to notify the Payroll Office to start up withholding state income tax from his salary. He has since corrected this oversight. Edna Saunders, Chief, Payroll Branch, has since confirmed this information and she advised that State of California income tax is being withheld from Villella's salary. See Attachments (26) and (27).

VILLELLA USED NETC FACILITIES FOR HIS DAUGHTER'S WEDDING

It has been the practice to allow FEMA personnel the use of NETC facilities so long as they do not interfer with the normal course of business for such activities as weddings and receptions. Villella did use NETC to house some personnel for his daughter's wedding and the dining hall for the wedding reception, a lunch and breakfast. Villella paid for the use of the facilities and the food and service provided by the caterer at the reception, lunch and breakfast. See Attachments (8) (20), (28) and (29).

HE USED AN NETC CONTRACT SECURITY GUARD AS A PERSONAL DRIVER FOR SEVERAL MONTHS

Connie Peresada, a contract security guard was assigned to be Villella's personal driver from July 1981 until January 1983. Peresada, when interviewed, reported that during this time she performed many personal service type jobs for Villella such as take him to the doctor and dentist; pick-up medication for him from the drugstore; drop off and pick-up his dry cleaning; drive to the bank and cash checks for him; pick-up papers and a change of clothes from his home and on an average of two times a week, pick him up at his home and bring him to work at NETC. All of this driving was performed in a government leased vehicle. She also reported that in addition to the aforementioned assignments she also did other personal things for Villella such as keep his appointment calendar up to date, during certain times of the year get some of his income tax information together and in the order he requested. She contended that she normally did not keep any log/record of her day to day activities. There were some days when she did keep logs and copies of several of these were obtained.

Villella admitted she may have taken his cleaning to the laundry, occasionally taken him to the doctor and perhaps picked-up medicine from the drugstore. Villella did not think Peresada picked him up at his home and brought him to work on an average of two times a week. He did recall that on several occasions she did pick him up at his home and bring him to FEMA Headquarters but after these arrangements were made there was a change in plans and the meeting was cancelled so she would bring him in to NETC. One of the purposes of having a guard as a driver and working in his office was to give the appearance of "soft" security. See Attachments (5), (6), (8) and (18).

LIST OF ATTACHMENTS

1. Congressman Albert Gore, Jr., Letter to Comptroller General of the U.S, dated March 22, 1984
2. Report of Interview with Donna Darlington on April 12 and 17, 1984
3. Report of Interview with Victor S. Buyny on May 3, 1984
4. NETC Purchase Orders EME-2-0231 and EME-3-0668, dated 11-10-81 and 3-7-83, respectively
5. Report of Interview with Duane Murray on April 1, 1984
6. Report of Interview with Vernon Keilholtz on May 9, 1984
7. Report of Interview with Richard Johnson on May 29, 2984
8. Report of Interview with Fred J. Villella on May 16, 1984
9. Report of Interview with Elizabeth A. Miller on May 9, 1984
10. Report of Interview with Robert D. Kemp on May 9, 1984
11. NETC Purchase Order EME-83-1289, dated 9/14/83 and supporting documentation
12. Report of Interview with Duane Murray on May 9, 1984
13. Report of Interview with Charles H. Boehne on May 8, 1984
14. Report of Interview with William F. Seifried on May 31, 1984
15. Report of Interview with Marie Eyler on May 3, 1984
16. Report of Interview with Sandra Wormley on May 9, 1984
17. Report of Interview with Ellen Staub on June 6, 1984
18. Report of Interview with Connie Jean Peresada on May 9, 1984
19. Memorandum for Fred Villella from Duane Murray, dated January 6, 1983
20. Report of Interview with Susan Downin on May 3, 1984

21. Report of Interview with George Jett on April 27, 1984
22. Memorandum for George Jett from Fred J. Villella, dated February 18, 1983
23. Memorandum for Fred Villella from George Jett, dated March 18, 1983
24. FEMA Instruction Number 6200.3, dated March 23, 1983
25. Memorandum for Louis O. Giuffrida from George Jett, dated September 1, 1983
26. Memorandum for Edna Saunders from Fred Villella, dated February 8, 1983
27. Report of Interview with Edna B. Saunders on April 9, 1984
28. Memorandum for Fred Villella from Duane Murray, dated November 1, 1982
29. Servomation Corporation invoices 957508, 957504 and 957505 all dated November 3, 1982 and a check to Servomation signed by Edith Villella, check # 1986, dated March 28, 1983

FOURTH DISTRICT
TENNESSEE

1131 LONGWORTH OFFICE BUILDING
TELEPHONE (202) 225-4231

ENERGY AND
COMMERCE

SCIENCE AND
TECHNOLOGY

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

March 22, 1984

Honorable Charles A. Bowsher
Comptroller General of the United States
Washington, D. C. 20548

Dear Mr. Bowsher:

I am in receipt of information concerning possible irregularities at the Federal Emergency Management Agency. I am writing to request that the General Accounting Office look into these complaints and provide a report of its findings.

Specifically, the allegations concern certain actions by Mr. Fred J. Villella, Associate Director of the Training and Education Directorate/National Emergency Training Center in Emmitsburg, Maryland. It is alleged that Mr. Villella:

1. has paid personal medical bills with monies from the Center's Imprest Fund;
2. brought three associates to the Center as contractors and later converted their jobs to GS-15 Civil Service positions in possible violation of Civil Service regulations, and upgraded another associate to a GS-15 grade in Policy and Planning when the position carries a GS-13 rating;
3. has converted "G" a building to provide eight bedrooms for executives at a cost of $300,000;
4. drives a Lincoln Continental automobile at government expense; and
5. has non-GSA Oriental rugs in his office.

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In view of the seriousness of these allegations, I would appreciate your assistance in this matter.

Sincerely,

Albert Gore Jr.

Albert Gore, Jr.
Member of Congress

AG:e

FEDERAL ERGENCY MANAGEMENT AGENCY
OFFICE OF INSPECTOR GENERAL

File No. 00-0084

On April 12, 1984, Donna M. Darlington, Supervisory Contract Specialist, Acquisition Management was interviewed at her office by reporting agent and Jack Spittler, Auditor, OIG. She provided the following information:

She came to work for FEMA in June 1979 and was assigned to the Telecommunications Branch, Acquisition Management. At that time there were four or five people assigned to that Branch and the only contract they worked on was the ICS contract with AT&T. The contract was 22 years old and FEMA was billed about $22 million a year by AT&T for services rendered. In November 1980, she became Chief of that Branch, which also had contracting responsibility for National Preparedness Programs; Continuity of Government; and consultant contracts. When she became Chief of the Branch, Lon Henricksen was the ICS Project Officer and any correspondence dealing with the contract went through her office.

Sometime in early 1981, Bruce Campbell came to FEMA as the Assistant Director, Information Resources Management. He wrote a memo to Henricksen asking him why all ICS correspondence had to go through her office. Subsequently, Campbell began making "deals" with AT&T; had frequent telephone conversations with William Jack, Regional Director for AT&T; and wrote several pieces of correspondence that by-passed her. On numerous occasions she tried to convince Campbell, John Hwang, Chief, Telecommunications Management Division, and Jack of the need to re-write the ICS contract, but for one reason or another they resisted this and would not cooperate in the project.

On July 13, 1983, Ron Williams, a Special Assistant to the Director of the Office of Emergency Operations, warned her that they were out to get her. By "they" he meant William Williams (Ron Williams' boss); Campbell; and Gerry Martin, Executive Administrator, Office of Executive Administration. He said that I should ease up on AT&T and stop writing "nasty" letters to them (AT&T). Darlington advised that she was very surprised by Williams' warning inasmuch as she had never been told by her supervisor, Steve Goodman, or Martin, that any of the letters she had written to AT&T were nasty, strongly worded or harsh. Goodman had never told her to tone down her letters and up to that point she had never been chastised for any of her dealings with AT&T.

On July 20, 1983, Goodman told her that the AT&T ICS contract had been taken away from her and when she asked him why, he told her she had pushed too hard to do things right and no one was interested in doing things right. He also told her there was conflict and tension between her and Campbell. Darlington contended she was very angry and upset about being relieved of this contract and she told Goodman that she was angry and upset. She also learned that Fred Newton, Director, Office of Program Analysis & Evaluation, had set up the meeting on July 20, 1983 wherein Jack; Martin; and Goodman met and it was decided to relieve her of the contract.

On July 21, 1983, she talked with Newton and he explained he had been meeting with Jack about another problem and also present at the meeting was

By: Charles E. Richter, Jr. CR
Date Dictated: 4/20/84
At: Washington, DC
Date Transcribed: 4/30/84

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Its contents are not to be disclosed to unauthorized persons.

Campbell. While at the meeting Newton said he overheard a conversation between Jack and Campbell about problems they were having with her. Newton told her he thought the conversation was contrieved so he would overhear it and report the information to Martin.

On July 27, 1983, Goodman called her into his office and offered to send her on a 120-day detail to the IG's office. She agreed that it would be a good idea and was in favor of it, but she felt she should remain at her regular job until the first of October 1983 to finish off the end of the year procurements. There is always a large work load at the end of the year. Goodman said he would talk with the IG and get it cleared with him.

Sometime on the 1st or 2nd of October 1983 she started her detail with the IG and a short time after that she saw a personnel advertisement for her job in Acquisition Management. On November 1, 1983 she told Goodman that she was going to apply for her own job and he seemed generally pleased and he gave her a good performance rating. On December 5, 1983, the position was put on "hold" and although she asked personnel employees (Ardy Martin and Dorothy McCann) why this position was on hold, she never got an answer because no one seemed to know or if they did they would not tell her.

On November 14, 1983, she went to see Martin and asked him to cancel her detail with the IG and return her to her former position as Chief, Telecommunications Branch in Acquisition Management. She told him her side of the story regarding her dealings with AT&T; that her removal from the contract was not fair; and pointed out to him some of the problems she was having with the Project Officer and program people. He told her he would consider her request and get back to her later.

On December 13, 1983, she had another meeting with Martin and he told her that he was going to reorganize Acquisition Management; that a new division was going to be created and she would be put in charge of the new division. The new division would do the contracting for the National Preparedness Programs Directorate and she told him this was not acceptable, that she wanted her old job back. She explained that his complaint was not with her but with the Project Officers for overstepping their authority. She continued to try and convince him that she was not at fault in the situation; that she was doing what was right; and, that if she were a man he would not have treated her in this manner. During the course of the conversation, Martin allegedly said, "they set you up once Donna, don't you think they'd set you up again?" Martin offered her three options: (1) to take over the new division; (2) take a permanent position in the IG's office; (3) seek employment elsewhere outside the Agency and that he would be glad to help her. Martin indicated she was to get back in touch with him and give him her decision as to which of the three options she was going to take. She subsequently decided to accept the new division chief position.

Regarding the ICS contract with AT&T, she was aware there was an inter-agency agreement with the Department of Defense for them to do the audit of this contract. She had requested an agency of DoD to audit the contract but as of that date (April 12, 1984) the audit had not begun. She was aware that the ICS contract was unique, outdated and in need of re-writing. There was a time for several months after Campbell took over the project that there was no project officer assigned to it.

As for the excess recurring charges of $3.5 million and the $3 million, both of these charges are subject to audit, they are not charges entirely controlled by the FCC. Part of these charges are tariffs that are controlled by the FCC but most of it is not. She contended one of the reasons AT&T withdrew the $1.002 million increase was they did not file an intention to request a rate increase with the FCC and when she decided to fight them, AT&T backed off.

On April 17, 1984, Darlington was again interviewed by reporting agent; Frank Parrott, Auditor, OIG; and John T. Thiede, Deputy Inspector General. She provided the following informaton:

She is aware that the IG had completed a year-end spending audit but she had not read over the report. She contended there was not bonafide justification for any of the FEMA consulting contracts. A personal service contract is a contract where the contractor personnel act as government employees; i.e., they are given assignments on a daily basis; are supervised by government employees on a daily basis; and, they use government facilities. She advised that most of these contracts have occurred at NETC, Emmitsburg, MD. The Triton and IMR contracts are two examples of consulting contracts for training which had turned into personal service contracts. Another area where there are several personal service contracts is in the Continuity of Government. She contended Acquisition Management processes these contracts because they have already been approved by Martin for three quarters of the fiscal year and in the fourth quarter, the Director of the Agency has to approve them. Another example of a personal service contract occurred at NETC wherein one of the contract security guards drove Fred Villella, Director, NETC, around in a government car; one of the guards is handing out keys and room assignments to incoming students at NETC; and one of the guards manned the telephone switchboard on weekends. These activities should all be done by government employees and not by the guards because it is outside the scope of the guard contract.

She had no new information regarding FEMA personnel leaving the Agency and going to work for contractors doing business with FEMA. She felt this was wrong and even though the IG had looked into it and found no violation of law, nothing was done to stop it or alert anyone to the problem. It creates an unfair advantage for these contractors in the procurement process.

She advised that many of the technical review panels and source evaluation boards are biased and repeatedly pick the same contractors. She explained the Project Officer writes up what is to be graded by the technical review panel. This same person usually is the chairman of the panel and will have two people from his division on the board with him and usually these two people are under his supervision and control. Generally, the statement of work in the FEMA contracts are written so only people who have worked for FEMA on other contracts could possibly understand what is wanted. To substantiate this fact, note the frequency of repeat contractors FEMA has.

Another complaint she had was the high number of sole source contracts FEMA has. She was of the opinion the Agency should develop other sources for contracts so as to avoid the necessity of frequently going sole source on a contract. There is a report that is sent to the Office of Management and Budget which lists the sole source contracts the Agency has. There has been no comment from OMB about FEMA's high number of sole source contracts because so far, the personnel writing the justification to OMB for the contracts listed on the report have been able to convince them (OMB) that they are necessary. There is a new law in effect that requires an Agency, whenever they are contemplating going sole source on a contract, to advertise in the Commerce Daily that the Agency is looking for a company to perform a certain task. This requirement takes longer to accomplish than if the task was advertised and open for competition.

She then began citing various purchases, some of which were made from the FEMA Imprest Fund which she felt were improper. Two such purchases were a $365 etched metal painting and a $140 table cloth for L.O. Giuffrida, Director of FEMA. They also purchased expensive leather briefcases for him and Jerry Martin and perhaps a few more top level managers. The briefcases were purchased from Best and Co. At the end of FY-83, Giuffrida purchased a $700 exercise bicycle for his use, along with a gym pack 2000 weight lifting set that was put in room 833, Donahoe Building. These items were to be used by him and a few members of his top staff. Both of these items have since been put into storage.

Personnel from the Special Facility built an eight-sided cardtable on government time, using government material and gave it to Giuffrida as a Christmas gift in December 1982. She was of the opinion this table was at Giuffrida's home at present.

She felt some of the top FEMA executives were using government vehicles improperly. The leased vehicle Giuffrida drives had a special stereo system put in at a cost of around $200. She thought he used the vehicle for other than official business in that he puts 2,000 miles on the car per month and she thought this was excessive for just official business. The car has been in an accident and she did not know who paid for the repairs.

She noted that the car Villella drives had special orthopedic seats installed in the car because he has back trouble. Additionally, for a long time, this was the only car Villella had and she implied he used it for other than official business. He allegedly carries around an illegal $30 imprest fund in the car which he uses to pay tolls and gas, however, he never turns in the receipts for these things.

Villella supposedly purchsed a queen size mattress with government funds for a lady consultant at NETC. He also purchased a leather chair for his office from a Sears blanket purchase agreement that was set up for NETC to purchase audio-visual equipment only. Villella also had NETC purchase a $10,000 microwave TV "dish" antenna to pick up TV signals for his TV set in his office at NETC. She stated it may be used by other TV's at NETC, but it was purchased initially for his use.

Villella used NETC contract employees (housekeepers) and had them paid overtime to clean his personal home in Bethesda, MD or VA (Darlington did not know where) before his wife came from California. Villella had them transported to his home in a goverment vehicle to do the cleaning.

Villella has an outstanding debt he owes NETC for the nights he stayed overnight at the Center. He has not paid any money against this debt. Additionally, he has extensively used the telephone at NETC to place long distance calls to his home in California late at night. Many of these calls appear to be personal in nature and are recorded on the NETC switchboard records.

FEDERAL EMERGENCY MANAGEMENT AGENCY
OFFICE OF INSPECTOR GENERAL

File No
00-0084

On May 3, 1984, Victor S. Buyny, Supervisory Contract Specialist, and Joseph Weakland, Contract Specialist, Office of Management and Administration, NETC, were interviewed by reporting agent and John T. Thiede, Deputy Inspector General. They provide the following information:

The Center had a blanket purchase agreement (BPA) with Sears in 1982, 1983 and 1984. However, after reviewing the records of purchases made under the Sears BPA it was noted no furniture was purchased via that document. Buyny explained that purchases from a BPA are not strictly limited in scope as to what can be purchased through it. It was noted that some furniture items were purchased from Sears via small purchase requisitions. There is an established procedure wherein most furniture purchases must be made via GSA schedule; however, under certain circumstances furniture may be purchased on the open market when these circumstances are present. One such circumstance is the item is needed in a short time frame, as was the case with the purchases of the recliner chair and headboards purchased from Sears. Weakland advised that both the bed headboards and the recliner chair are on the GSA schedule but in both cases it is not mandatory to purchase them via the schedule.

Weakland explained the leased vehicle given to Villella to drive as the Director of NETC did not cost FEMA any more money no matter what type of accessories were put on it. Special orthopedic seats were requested but were not available. The regular 6-way power seat was installed.

It is to be noted that on May 9, 1984, only the reporting agent interviewed the aforementioned individuals and some of the information reported above was obtained at that time.

Charles E. Richter, Jr.

Date Dictated: 5/16/84

Emmitsburg, MD

Date Transcribed: 5/22/84

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FEMA FORM 12-4 (11-79)

MARK ALL PACKAG.. AND PAPERS WITH . AND/OR ORDE. .UN ..B

1. DATE OF ORDER: 11-10-81
2. CONTRACT NO. (if any): O/M
3. ORDER NO.: EME-2-0231
PAGE 1 OF 2

4. ISSUING OFFICE: National Emergency Training Center/16825 S Seton Ave.
Emmitsburg, MD 21727/ATTN: Joseph Weakland

5. ACCOUNTING AND APPROPRIATION DATA: 82-9-1000-2110-2-5100

6. SHIP TO (Consignee and Address, ZIP Code): Same as issuing office/ATTN: Charles H. Boehne
VIA

7. TO: CONTRACTOR (Name, Address, ZIP Code)

Ford Motor Company
815 Connecticut Ave., N.W.
Washington, DC 20006
ATTN: Maureen Sheffield

8. TYPE OF ORDER
☐ (a) Purchase Reference your ____

Please furnish the following on the terms specified on both sides of this order and on the attached sheets, if any, including delivery as indicated. This purchase is negotiated under authority of: 41 USC 252 (c)(3)

☐ (b) Delivery Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

9. REQUISITION OFFICE: National Emergency Training Center
10. REQUISITION NO./PURCHASE AUTHORITY: 05985
11. F.O.B. POINT: N/A
12. GOVERNMENT B/L NO.:
13. DELIVERY TO F.O.B. POINT ON OR BEFORE: see below
14. DISCOUNT TERMS: see below

15. SCHEDULE

Item No. (a)	Supplies or Services (b)	Quantity Ordered (c)	Unit (d)	Unit Price (e)	Amount (f)	Quantity Accepted (g)
0001	Lease of 1982 Ford Granada (GLX) instrumentation, 4-door, interior with split bench seat in red, exterior - black, power disc brakes.					
	Rental period: from date of delivery (estimated January 4, 1982) through September 30, 1982.	9.	mos.	181.25	1,631.25	
	BILLING ARRANGEMENT Two (2) invoices will be submitted during the lease period as follows: March 1, 1982 $362.50 October 1, 1982 $1,268.75					

Refer to case folder entitled Ford Motor Company Lease Program

16. CLASSIFICATION: ☐ SMALL BUSINESS ☒ OTHER THAN SMALL BUSINESS ☐ MINORITY BUSINESS ENTERPRISE

15. (h) Total from continuation pages

SEE BILLING INSTRUCTIONS ON REVERSE

17. SHIPPING POINT
18. GROSS SHIPPING WEIGHT
19. INVOICE NO.
20. MAIL INVOICE TO (include ZIP Code): National Emergency Training Center/16825 S Seton Ave/Emmitsburg, MD 21727/ATTN: Mary Wyatt

15. (i) GRAND TOTAL: 1,631.25

21. UNITED STATES OF AMERICA BY (Signature)

22. NAME (Typed): Joseph Weakland
TITLE: CONTRACTING/ORDERING OFFICER

ORDER FOR SUPPLIES OR SERVICES
7540-00-634-4105
147-108
STANDARD FORM 147 (REV. 2-77)
Prescribed by GSA FPR 41 CFR 1-3.605

1964 — FED PROC REG 141 CF 1 805 — 148-103

ER FOR SUPPLIES OR SERVICES
SCHEDULE—CONTINUATION

MARK ALL PACKAG PAPEL ITH ORDER AND/OR CONTRACT NUMBERS

PAGE NO 2 of 2

DATE OF ORDER 11-10-81

CONTRACT NO (if any)

ORDER NO. EME-2-0231

ITEM NO	SUPPLIES OR SERVICES	QUANTITY ORDERED	UNIT	UNIT PRICE	AMOUNT	QUANTITY ACCEPTED
	Optional items to be furnished are as follows:					

a. 3.3 liter (200 CID) 6-cylinder engine with select shift, automatic transmission
b. full vinyl roof, black
c. AM/FM Stereo radio
d. Air conditioner - manual controls
e. tinted glass- complete
f. ~~Seat~~ split bench seats with dual recliners → not available
g. pivoting manual front windows
h. RH illuminated visor vanity mirror
i. console electronic digital clock with elapsed time and date → only available with 4 speed [illegible]
j. illuminated entry system
k. electric rear window defroster
l. tilt steering wheel
m. interval windshield wipers
n. light group
o. extended range fuel tank
p. cold weather group
q. power lock group
r. six-way power seat adjustment
s. variable ratio power steering
t. power side windows
u. rear bumper guards
v. appearance protection group
w. lower backside protection } not available
x. luxury wheel covers

TOTAL CARRIED FORWARD TO 1st PAGE →

STANDARD FORM 148 JUNE 1964

NSN 7540-00-634-4105 PREVIOUS EDITION USABLE

MARK ALL PACKAGES AND PAPERS WITH CONTRACT AND/OR ORDER NUMBERS

1. DATE OF ORDER 3/ 7/83	2. CONTRACT NO. *(if any)* O/M	3. ORDER NO. NME-3-0088	PAGE 1 OF 1

4. ISSUING OFFICE National Emergency Training Center, 16825 S. Seton Ave., Emmitsburg, MD 21727

5. ACCOUNTING AND APPROPRIATION DATA
83-0-4730-2110-3-4000

6. SHIP TO *(Consignee and Address, ZIP Code)*
National Emergency Training Center, 16825 S. Seton Ave.,
Emmitsburg, MD 21727 ATTN:

VIA

7. TO: CONTRACTOR *(Name, Address, ZIP Code)*

Ford Motor Company
815 Connecticut Ave., NW
Washington, DC 20006
ATTN: Maureen Sheffield

V# 926884

8. TYPE OF ORDER
☒ (a) *Purchase* Reference your ______

Please furnish the following on the terms specified on both sides of this order and on the attached sheets, if any, including delivery as indicated. This purchase is negotiated under authority of ______
41 USC 252 (c)(3)

☐ (b) *Delivery* Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

9. REQUISITION OFFICE ▶ NETC

10. REQUISITION NO./PURCHASE AUTHORITY
30302

11. F.O.B. POINT Destination	12. GOVERNMENT B/L NO. n/a	13. DELIVERY TO F.O.B. POINT ON OR BEFORE Est. 5/1/83	14. DISCOUNT TERMS net

15. SCHEDULE *See reverse for rejections

Item No. (a)	Supplies or Services (b)	Quantity Ordered (c)	Unit (d)	Unit Price (e)	Amount (f)	Quantity Accepted* (g)
0001	Lease (new) one (1) 1983 Mercury Marquis Brougham, 4-door, with split bench seat; cloth interior in medium red GD code 24; XXXXXXXXXXXXX black exterior. Rental period: From date of delivery (estimated May 1, 1983) thorough Seppember 30, 1983.	5	mos.	191.67	958.35	

16. CLASSIFICATION ☐ SMALL BUSINESS ☒ OTHER THAN SMALL BUSINESS ☐ MINORITY BUSINESS ENTERPRISE

SEE BILLING INSTRUCTIONS ON REVERSE

17. SHIPPING POINT n/a	18. GROSS SHIPPING WEIGHT	19. INVOICE NO.	15. (h) Total from continuation pages ◀

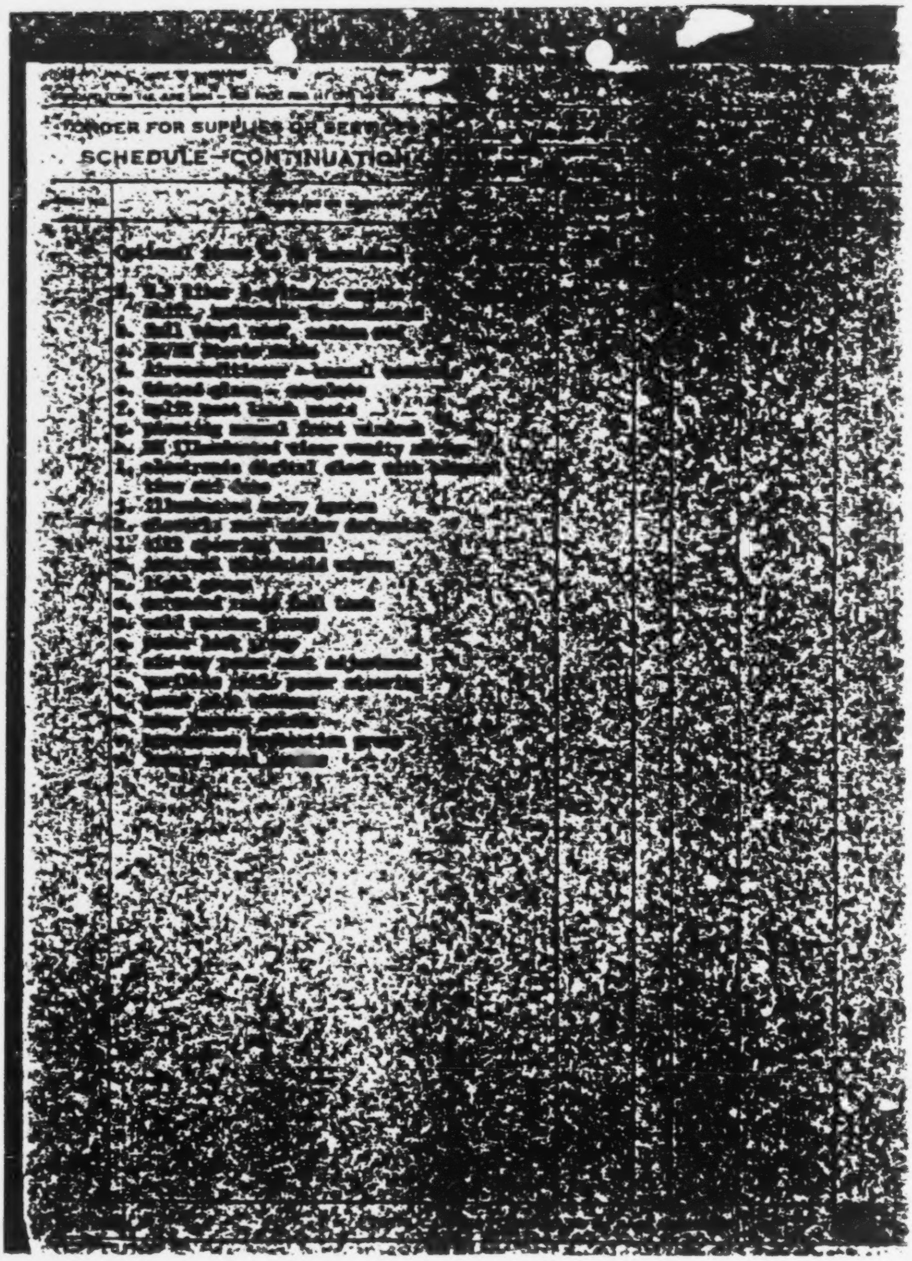
20. MAIL INVOICE TO *(Include ZIP Code)* National Emergency Training Center, 16825 S. Seton AVe., Emmitsburg, MD 21727, ATTN; Mary Crilley

15. (i) GRAND TOTAL ◀ 958.35

21. UNITED STATES OF AMERICA BY *(Signature)* ▶

22. NAME *(Typed)*
Joseph R. Weakland
TITLE: CONTRACTING/ORDERING OFFICER

ORDER FOR SUPPLIES OR SERVICES 147-108 STANDARD FORM 147 (REV. 2-77)
Prescribed by GSA, FPR (41 CFR) 1-3.606



ORDER FOR SUPPLIES OR SERVICES

SCHEDULE—CONTINUATION

FEDERA ERGENCY MANAGEMENT AGENCY **OFFICE OF INSPECTOR GENERAL**	File No. 00-0084

On April 11, 1984, Duane Murray, Assistant Associate Director, Office of Management and Administration, Training and Fire Programs, National Emergency Training Center (NETC) was interviewed and he provided the following information:

On occasion, while the Director of NETC, Fred J. Villella spent the night at NETC in one of the dormitory rooms. When this occurred he was subsequently billed $5.00 for each night's lodging. Villella has never paid these charges. As of December 31, 1982, he owes $772.00. Some time around the end of 1982 or beginning of 1983, Frank Paine, presently the Deputy Associate Director of NETC, instructed Sue Downin to stop keeping track of the nights Villella spent at NETC and to not charge him for each night's lodging. Murray didn't know this had occurred and in March or April 1983 he asked Downin about the charges. She told him what Paine had instructed her to do. He (Murray) instructed her to continue keeping a record of the nights Villella stayed overnight at NETC. A short time later at a morning staff meeting, Paine confronted Murray and directed him to stop keeping records of Villella's overnight stays at NETC. Murray later talked with Villella about this and pointed out that at the very least some record should be kept, but Villella made no comment about it and Murray complied with instructions given to him by Paine.

It was about this time he requested a decision from the FEMA Comptroller and the Office of General Counsel as to lodging charges for FEMA personnel who stay overnight at NETC. The decision made was any FEMA personnel on official orders (other than NETC personnel) were allowed to stay overnight except in unusual circumstances such as official events or affairs that last late into the evening.

The charges that Villella incurred for his overnight lodgings at NETC were not listed as accounts receivable because NETC has no accounting system. The lodging charges collected by NETC are sent to FEMA on an informal arrangement to be included in the FEMA accounting system.

Murray had no first hand knowledge of Villella using any of the NETC maids to clean his personal living quarters. He had heard that on one occasion he did use NETC maids to clean his home prior to his wife arriving from California. This happened approximately two years ago and he paid for their services out of his own personal funds.

Villella is assigned a government car to be used for official business. In late 1983 or early 1984 this vehicle was involved in an accident and Ford Motor Co., from whom the car was leased, took the car to make repairs. FEMA was given a replacement vehicle which was a maroon Lincoln Continental. Villella drove that vehicle for two or three months. Murray did not know if he used the vehicle for other than official business.

When asked if Villella used the government vehicle to drive back and forth from home to NETC, he said he had no firsthand knowledge of this. Since

By: Charles E. Richter, Jr.	Date Dictated: 4/12/84
At: Washington, D.C.	Date Transcribed: 4/19/84

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FEMA FORM 12-4 (11/79)

Villella has been assigned to NETC and has had a government vehicle assigned to him, he has seen Villella arrive at NETC in the morning in the car and would leave at night to go home again leaving NETC in the government vehicle. Whether Villella made a stop for official business he did not know. He did say that on occasion he had seen Villella leave NETC at 8:00 p.m. to go home driving the government vehicle but again he did not now whether or not Villella made a stop for official business at the Director's home or some Associate Director's home.

Murray was asked about his knowledge of Villella using one of the contract security guards to act as his driver/body guard. During the period of approximately November 1981 to November 1982, Villella did use a young woman named Connie Persada who was a contract security guard. He did not think her duties included being Villella's bodyguard in that she is small in stature. Her position originally when she started driving for Villella, was an "add on" position in the contract NETC had with the company providing security. She is presently working there as a person in charge of housing the students who arrive at the Center on weekends. She has other duties during the week but she is no longer his driver.

When NETC was initially purchased, an oriental rug was included in the purchase. This rug was located in the office used by Villella. It was determined that Villella's secretary should also have a rug in her office. The price of an 11 by 14 foot, top of the line, oriental design rug from Sears was determined to be between $800 and $900. An informal cost analysis (no formal report was written) was done which revealed it would have been the same price or slightly higher to purchase wall to wall, top of the line carpet and have it installed for that office. Inasmuch as that office had refinished hardwood floors the decision was made not to purchase the wall to wall carpeting and the oriental designed rug was purchased from Sears.

Murray could not comment on the alleged incident wherein a medical bill incurred by Villella was paid out of the NETC Imprest Fund. Murray advised he was not at NETC when that occurred but he was aware that the incident had been examined by personnel from the OIG audit staff.

In 1983, a renovation of G Building at NETC was initiated. The original plan called for making more dormitory rooms for students, the first floor was to have nine bedrooms with an attached bathroom per room. The second floor was to have eight bedrooms with an attached bathroom per room; a small kitchenette with a stove, refrigerator and sink; and two conference rooms. The original contract was let in September 1983 to a local contractor from Thurmont, MD, David Contractors. The contract was advertised and his bid was the lowest. The cost for the renovation was to be $190,000 to $200,000 (Murray could not recall the exact amount).

Shortly after the contract was let, Paine told him that he (Paine) was going to take over the administration of the contract. At that point, Murray lost control of the contract. During the following months, he learned from some of his maintenance people that many changes had been made to the original contract. Approximately two months ago, some of his maintenance people complained about the contract saying the cost was too high, there were too many "frills" being included and they provided him with what the new plans called for. The new plan was for the first floor to have eight bedrooms with a bath for each room and a small reception room with a wet bar at the end of the building. On the second floor there was to be four suites with a bathroom for each suite; a full size kitchen complete with a washer and dryer hook-up; two conference rooms; and a small reception room with a wet bar.

He met with Villella, advised him the cost was too high, and there were too many "extras" that should not be included. Villella agreed and directed him to negotiate with the contractor and get the costs down. Up to this point there had been no written change orders to the contract and all this changing had been done by verbal direction/order. He negotiated two change orders to the original contract, one dealt with a new architectual drawing and the second dealt with the aforementioned room changes. He did renegotiate the contract and was able to get the contractor to agree to do the work for $350,000 to $400,000 (he could not recall the exact figure). To date (4/11/84) the renovation is approximately 70 to 80% completed.

FEDERAL EMERGENCY MANAGEMENT AGENCY
OFFICE OF INSPECTOR GENERAL

File No. 00-0C84

On May 9, 1984, Vernon Keilholtz, Transportation Coordinator, Management and Administration, NETC, was interviewed and he advised that he had been in that position for two years. He advised that there were no trip reports for Fred Villella's car nor does the car have a credit card to be used for gas/oil. He recalled that Villella's leased car was involved in an accident in October 1983. Villella and a consultant, Sherry Bunting, drove to Washington, D.C. for a meeting. After the meeting, Villella left Washington from National Airport and Bunting started driving the car back to NETC. On the way back she was involved in the accident. A copy of the Traffic Accident Report is attached to this report of interview.

Keilholtz had no first hand knowledge that Villella ever used a government owned or leased vehicle for other than official use. Concerning Connie Peresda, a security guard at NETC, using a government vehicle to drive some cleaning personnel to Villella's home, he recalled the incident but he could not recall when it occurred. He does remember that she told him what Villella wanted her to do and he said he probably told her what vehicle to use. He did not get any specific instructions from Villella as to what vehicle she was to use or that she was to use a governmnt vehicle at all. However, he did know that Peresada, at the time was Villella's chauffer and according to her she had been told to take the cleaning ladies to Villella's home.

By: Charles E. Richter, Jr.	Date Dictated: 5/15/84
At: Emmitsburg, MD	Date Transcribed: 5/22/84

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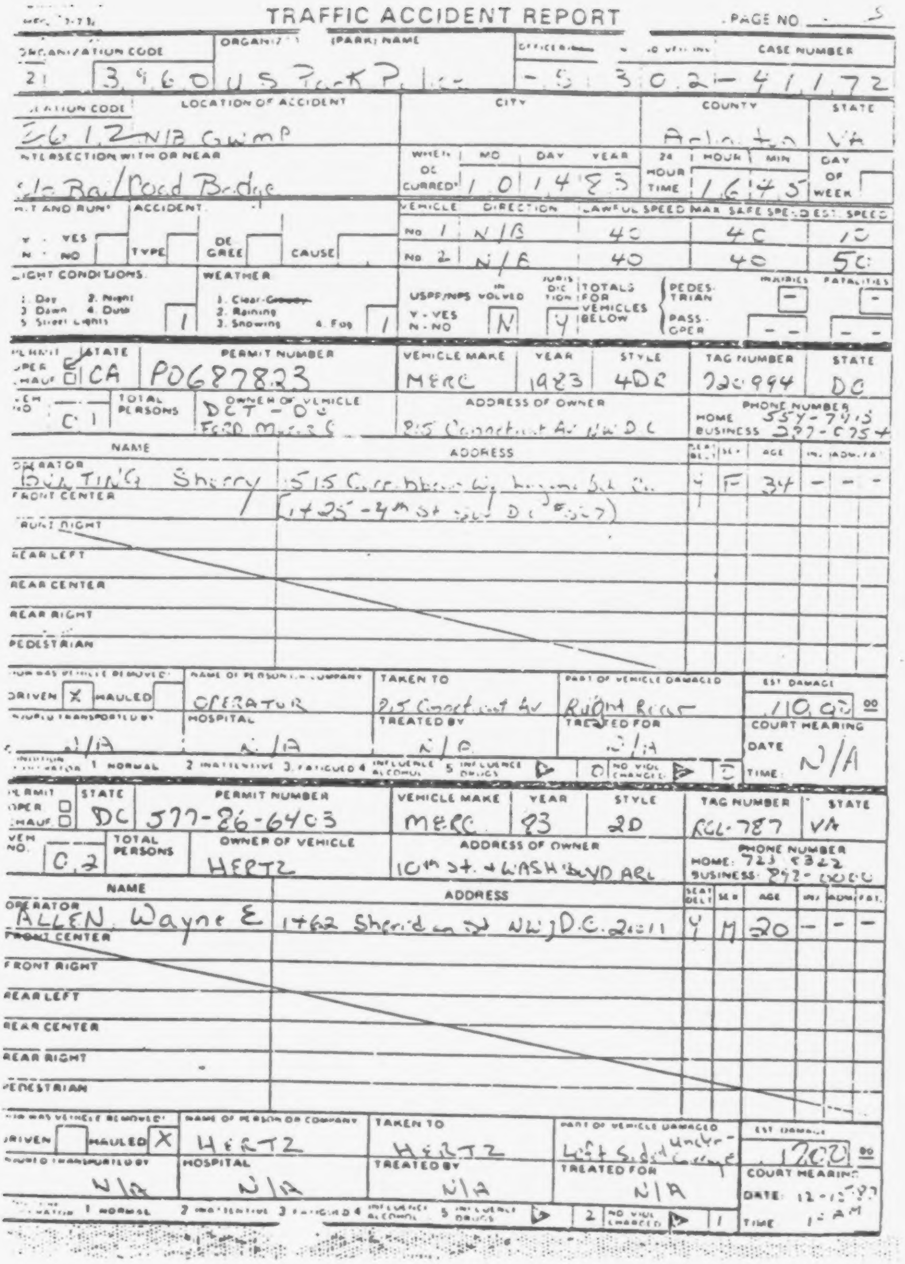
FEMA FORM 12-4 (11/79)



TRAFFIC ACCIDENT REPORT

PAGE NO. 5

ORGANIZATION CODE: 21 3960
ORGANIZATION (PARK) NAME: U S Park Police
OFFICER: 5 3
CASE NUMBER: 02-411,72

LOCATION CODE: 3612
LOCATION OF ACCIDENT: N/B GWMP
CITY:
COUNTY: Arlington
STATE: VA

INTERSECTION WITH OR NEAR: s/o RailRoad Bridge
WHEN OCCURRED: MO 10 DAY 14 YEAR 83
24 HOUR TIME: HOUR 16 MIN 45
DAY OF WEEK: ☐

HIT AND RUN: Y - YES N - NO ☐
ACCIDENT: TYPE ☐ DEGREE ☐ CAUSE ☐

VEHICLE	DIRECTION	LAWFUL SPEED	MAX SAFE SPEED	EST. SPEED
NO 1	N/B	40	40	10
NO 2	N/B	40	40	50

LIGHT CONDITIONS: 1. Day 2. Night 3. Dawn 4. Dusk 5. Street Lights — 1
WEATHER: 1. Clear-~~Cloudy~~ 2. Raining 3. Snowing 4. Fog — 1
USPP/NPS INVOLVED: Y - YES N - NO — N
JURISDICTION: Y
TOTALS FOR VEHICLES BELOW: PEDESTRIAN — INJURIES – FATALITIES –; PASS.-OPER — INJURIES – – FATALITIES – –

PERMIT OPER ☑ CHAUF ☐ STATE: CA
PERMIT NUMBER: P0687823
VEHICLE MAKE: MERC
YEAR: 1983
STYLE: 4DR
TAG NUMBER: 720-994
STATE: DC
VEH NO.: C 1
TOTAL PERSONS:
OWNER OF VEHICLE: DCT - DC Ford Motors Co
ADDRESS OF OWNER: 815 Connecticut Av NW D.C.
PHONE NUMBER: HOME 554-7415 BUSINESS 377-6754

	NAME	ADDRESS	SEAT BELT	SEX	AGE	INJ.	ADM.	FAT.
OPERATOR	BUNTING Sherry	515 Greenbrier Wy Laguna Bch Ca (1425-4th st sw DC #527)	Y	F	34	–	–	–
FRONT CENTER								
FRONT RIGHT								
REAR LEFT								
REAR CENTER								
REAR RIGHT								
PEDESTRIAN								

HOW WAS VEHICLE REMOVED: DRIVEN ☒ HAULED ☐
NAME OF PERSON OR COMPANY: OPERATOR
TAKEN TO: 815 Connecticut Av
PART OF VEHICLE DAMAGED: Right Rear
EST DAMAGE: 110.00
INJURED TRANSPORTED BY: N/A
HOSPITAL: N/A
TREATED BY: N/A
TREATED FOR: N/A
COURT HEARING DATE: N/A TIME:
CONDITION OF OPERATOR: 1 NORMAL 2 INATTENTIVE 3 FATIGUED 4 INFLUENCE ALCOHOL 5 INFLUENCE DRUGS ▷ 0
NO VIOL CHARGED ▷ 1

PERMIT OPER ☐ CHAUF ☐ STATE: DC
PERMIT NUMBER: 577-86-6403
VEHICLE MAKE: MERC
YEAR: 83
STYLE: 2D
TAG NUMBER: RGL-787
STATE: VA
VEH NO.: C 2
TOTAL PERSONS:
OWNER OF VEHICLE: HERTZ
ADDRESS OF OWNER: 10th St. + WASH Blvd ARL
PHONE NUMBER: HOME: 723 5322 BUSINESS: 892-0000

	NAME	ADDRESS	SEAT BELT	SEX	AGE	INJ.	ADM.	FAT.
OPERATOR	ALLEN, Wayne E	1462 Sheridan St NW, D.C. 20011	Y	M	20	–	–	–
FRONT CENTER								
FRONT RIGHT								
REAR LEFT								
REAR CENTER								
REAR RIGHT								
PEDESTRIAN								

HOW WAS VEHICLE REMOVED: DRIVEN ☐ HAULED ☒
NAME OF PERSON OR COMPANY: HERTZ
TAKEN TO: HERTZ
PART OF VEHICLE DAMAGED: Left Side Under-Carriage
EST DAMAGE: 1200.00
INJURED TRANSPORTED BY: N/A
HOSPITAL: N/A
TREATED BY: N/A
TREATED FOR: N/A
COURT HEARING DATE: 12-13-83 TIME: 1 AM
CONDITION OF OPERATOR: 1 NORMAL 2 INATTENTIVE 3 FATIGUED 4 INFLUENCE ALCOHOL 5 INFLUENCE DRUGS ▷ 2
NO VIOL CHARGED ▷ 1

RNMENT PROPERTY [illegible]

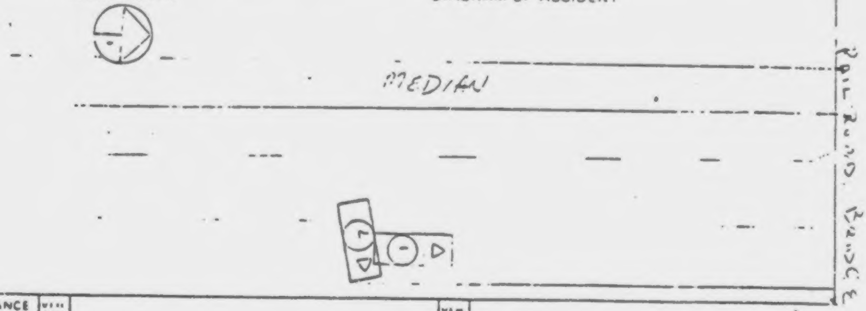
N/R

WITNESSES	NAME	ADDRESS	SEX	AGE	PHONE
					HOME BUS
					HOME BUS
					HOME BUS

VEH NO 1	VEH NO 2	NO. HGWY LANES AVAILABLE FOR VEHICLE	VEH NO 1	VEH NO 2	MOVEMENT OF VEHICLE	PEDESTRIAN MOVEMENT		ROAD CHARACTER		ROAD CHARACTER		TRAFFIC CONTROL
		ONE LANE	✗	✗	GOING FORWARD	SIDE TO SIDE	✗	LEVEL		INTERSECTION		STOP SIGN
		TWO LANES			OVERTAKING	CORNER TO CORNER		ON GRADE		CIRCLE		AUTO SIGNAL
✗	✗	THREE LANES			RIGHT TURN	CROSS AT INTER		ON HILLCREST		MERGING LANE		OFFICER
		DIVIDED HGWY			LEFT TURN	OTHER THAN INTER	✗	STRAIGHT ROAD		TUNNEL BRIDGE	✗	ROADWAY LANES
		PARKWAY			SLOWING	WALKING WITH TRAFFIC		SLIGHT CURVE		ALLEY DRIVEWAY		YIELD SIGN
		UNPAVED ANY WIDTH			BACKING	STANDING		SHARP CURVE		PARKING AREA		OTHER EXPLAIN
DEPARTMENT PHOTOS TAKEN					STOPPED	PLAYING						
					PARKED	OTHER EXPLAIN						
☐ YES ☒ NO					OTHER EXPLAIN							

SHOW NORTH

DIAGRAM OF ACCIDENT



INSURANCE COMPANIES	VEH NO		VEH NO	
	1	Self	2	Self

DESCRIPTION OF ACCIDENT

Vehicle 1 was N/B in the right lane Vehicle 2 was W/B in the center lane. Vehicle 2 changed lanes from the center to the right in such a manner and at such a speed as to loose control of the vehicle and strike vehicle 1

TION	VEHICLE NUMBER 2 RAIL MAINTAN TRAILER [illegible]	DISPOSITION
ED	VEHICLE NUMBER	DISPOSITION

STIGATED BY (SIGNATURE AND DATE) Jim Bellay 12/14/73

APPROVED BY (SIGNATURE AND DATE) Sell 12/18/73

FEDERAL EMERGENCY MANAGEMENT AGENCY
OFFICE OF INSPECTOR GENERAL

File No. 00-0064

On May 29, 1984, Richard Johnson, Assistant Commissioner, Department of Commerce and Insurance Division of Fire Prevention, 114 State Office Building, Nashville, Tennessee, was contacted telephonically (Tel #(615) 741-2981) and he provided the following information:

He was the Supervisor of Training for the National Fire Acdemy at NETC from April 1980 through February 1983. During part of that time (August 1981 - July 1982) he lived in Frederick, MD, about one mile from Fred Villella and then he moved to Gettysburg, Pa. He recalled that while he lived in Frederick on occasion he did pick-up Villella at his apartment and brought him to work at NETC and he occasionally took him home from work. Johnson could not estimate as to how many times a week or month he did this, he could only say it was occasionally and not an every day arrangement. He did say he did it more on Mondays than at any other time inasmuch as Villella would call him up after Villella returned from a trip and asked for a ride to work.

By: Charles E. Richter, Jr.	Date Dictated: 5/29/84
At: Washington, D.C.	Date Transcribed: 5/30/84

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FEMA FORM 12-4 (11/79)

FEDERAL EMERGENCY MANAGEMENT AGENCY OFFICE OF INSPECTOR GENERAL	File No. 00-0084

On 5/16/84, Fred J. Villella, Associate Director, Training and Fire Programs, was interviewed by reporting agent and John T. Thiede, Deputy Inspector General. Prior to any questions being asked he was provided the following warning:

a. You have the right to remain silent if your answers may tend to incriminate you.

b. Anything you say may be used as evidence both in an administrative proceeding or any future criminal proceeding involving you.

c. If you refuse to answer the questions posed to you on the ground that the answers may tend to incriminate you, you cannot be discharged solely for remaining silent. However, your silence can be considered in an administrative proceeding for its evidentiary value that is warranted by the facts surrounding your case.

Villella indicated he understood the warning and he provided the following information:

He first came to FEMA as a consultant on February 23, 1981 and remained a consultant until June 10, 1981 when he was confirmed by the U.S. Senate as the Associate Director for Training and Education He was assigned to NETC. His official duty station to the present day is NETC. However, approximately six months ago, on November 30, 1983, he was given the additional duties as the Executive Deputy Director of FEMA. He noted that while his official duty station was at NETC since May 81 (when he first went there to assume the duties as Associate Director (Designate)) he has retained an office at the Donahoe Bldg. because his official duties mandated same and the Director of FEMA wanted him to split his time between NETC and FEMA headquarters. As a result of having two offices he has had to spend a considerable amount of time going back and forth in that it takes approximately 1 1/2 hours to drive to NETC from the Donahoe Bldg.

When he first came to Washington, D.C. in February 81 he stayed at the BOQ at Walter Reed Army Hospital. He then signed a one year lease for a house in Arlington, Va on Lynn St., but he moved out of that residence in Sept 81 and moved to the Waverly Apartments in Frederick, Md. He remained in the apartments until January or February 1982, when he moved to a house in Chevy Chase, Md and stayed there until July 1982, when he moved to his present residence in Rosslyn, Va. His wife remained in California at their home there until May or June 1982, however, she did make several visits.

When he initially was assigned to NETC, he spent several nights there and he requested that he be billed for staying there. He has every intention of paying that bill but he felt some matters need to be resolved before he pays it.

By: Charles E. Richter, Jr.	Date Dictated: 5/18/84
At: Washington, D.C.	Date Transcribed: 5/23/84

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He would like a decision about receiving some relief for having to pay for the lease of the Lynn St. house in Arlington at the rate of $1,100 a month. When he first came to work for FEMA there was some question as to where he was going to be ultimately assigned and thus he felt he should be due some relief for making what he considered some extra rent payments. He noted that he has not submitted any per diem claims for those first few months and he has that option depending on what is decided on where and when his official duty station was.

Villella initiatlly wanted an uplink TV (transmitting) system at NETC so educational programs could be broadcast all over the country using satellites. He did not request a downlink system (receiving) and in fact, did not know for certain who requested the microwave dish antenna. He also did not know who made the decision to hook it to the TV in his office. He contended he was out of the country when the dish antenna was hooked up. He supposed that at the time, his office was the only office outside the media center that had a TV. It is the plans at NETC to move the media center to the fourth floor of N Bldg (the same building in which his office at NETC is located to move the media center to the fourth floor of N Bldg (the same building in which his office at NETC is located) and thus the antenna cable would just have to be run up to the media center and from there the TV signal could be broadcast all over NETC. He admitted that to the present time there has been very limited use of the antenna for official or education purposes. However, one of the other purpose was to make it available to the students via the TV in the student's lounge. Right now the antenna is set for the TV sports channel and it provides the students some entertainment in an area (Emmitsburg and the surrounding towns) where there is not very much entertainment available.

He has attempted to up-grade the facility and make it a more attractive place. The dish antenna was one of these up-grading activities. Another has been the renovation of G Bldg. Originally, someone made the decision to tear it down; however, he intervened and suggested it be renovated to be used as executive quarters. Many dignitaries, such as the head of Scotland Yard the Mayor of Los Angeles, come to NETC and bring their wives. He has tried to encourage people to bring their wives to NETC and that was the purpose of purchasing the recliner chair, queen size mattress and maple headboards (for double beds). He wanted to up-grade some of the furnishings in the executive suites so the husband and wives could sleep together instead of in single beds.

He was not familiar with what was or what was not a personal service contract. Concerning the security contract, as to whether or not it is a personal service contract is subject to interpretation. The decision up to this point on the security contract is that it is not a personal service contract.

There are plans in the FY-85 budget to contract out all the tasks of feeding, lodging and housekeeping for the students as well as the security for the Center. He has been given a job to do which has entailed more and more training involving more and more students and he has not been given additional personnel with which to accomplish the task. Thus, he has had to look at every aspect of the NETC operation to find ways of accomplishing the mission. He has been advised by his subordinates at NETC that using the NETC personnel (including the security people) in the manner that they are being used is permissable.

Upon his arrival at NETC he was assigned a small car but he soon found out that he was spending a lot time driving back and fourth to the Donohoe Bldg. and he could not afford to waste that time driving. He requested that he be given a driver and at the time there was a hiring freeze on government employees. The decision was made to use one of the Security personnel in that he did have important papers with him and having a guard as his driver did give the appearance of "Soft" security. Connie Peresada, one of the contract security guards, was designated as his driver after two other people had been tried at the job. She drove for him for approximately 1 1/2 years. In addition to driving, she performed some tasks in and around his office, again providing the semblence of security.

When he attended meetings in Washington, on the way back to NETC he would have Peresada drop him off at his residence. He admitted she may have taken his cleaning to the laundry, taken his glasses to get repaired, or get medicine from the drugstore and, on occasion, taken him to the doctor in Emmitsburg (a short distance away from the Center). He could not recall that she had picked him up at his residence and taken him to NETC on an average of two times a week. He contended this may have happened on occasion, but in most instances when she did pick him up at home it was to take him to Washington for a meeting or to work in the Donohoe Bldg. There were times when he was expecting to go into Washington the first thing in the morning and the night before she was given instructions to pick him up on the way in. However, plans were changed at the last minute and the meeting was cancelled or changed and no trip to Washington was necessary. When this occurred he would ride back to NETC with her. He recalled that many mornings he rode to work with two NETC staff members, Richard Johnson and William Seifried. When asked if there were any vehicle logs maintained on his leased vehicle, Villella said none were maintained.

Villella admitted that he hired housekeeping personnel from NETC to clean his house in Chevy Chase, Md, but he was under the impression they were going to drive there in one of their own vehicles. He did not expect them to take a government vehicle. He suggested that Peresada go with them because she knew the way. He meant for them to go there on the weekend or at least after working hours. He gave the money to Ellen Stubs to pay the ladies and he intended her to pay Peresada out of that money. He did not realize that she drove them down there when she was still on duty and being paid by the security contractor.

Villella explained he thought Duane Murray had drafted a policy where in FEMA personnel can use the NETC chapel, dining hall and dormitory rooms for weddings provided they do not disrupt any student activities or prevent a student from staying in one of the rooms. He was not certain if this had been finalized but he was under the impression that there was something in writing to this effect. He contended that he had used NETC facilities when his daughter was married and he had paid for the use of same. When the first wedding was held there, the person did not have to pay anything; but when it came to his daughter's wedding, he had to pay.

He was aware that there had been a problem, or at least some confusion, regarding state income tax withholding from his salary. He wrote to the payroll office in 1983 and told them to stop taking state income tax out of his salary because enough had been taken out to pay his state income tax. He said it was an over sight on his part not to insure that the state income tax withholding was started up again at the first of 1984. He has since corrected that oversight.

He is aware that some people do take advantage of the Government phones and make long distance personal calls. Measures have been taken at NETC to restrict the use of the telephones by the students; however, some do find a way to get to them and since they usually are not familiar with the various autovon and FTS systems, they call their homes via the commercial lines which cost more money. Villella said he does not condone this. He did admit that he did call his wife from NETC while she was still in California, but he did it using the non-commercial lines and thus there was no cost to the government. He felt that because he was separated from his family on official business that this was permissable.

FEDERA ERGENCY MANAGEMENT AGENCY
OFFICE OF INSPECTOR GENERAL

File No. 00-0084

On May 9, 1984, Elizabeth A. Miller, Accounting Technician and Sub-Imprest Fund Cashier, NETC, was interviewed and she advised that ever since Fred Villella has been assigned a car at NETC he has been given $30.00 on an interim receipt from the Imprest Fund. This money is to be used for gas and oil for the leased car assigned to him. Whenever he turns in receipts for gas and/or oil he is reimbursed for the amount of money of the receipt(s). Villella has signed for the money on the interim receipt and he is accountable for it. On every Imprest Fund report NETC has submitted since this went into effect, the report has shown this money to be outstanding and to date no one has said anything about it.

By: Charles E. Richter, Jr.

Date Dictated: 5/15/84

At: Emmitsburg, MD

Date Transcribed: 5/21/84

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FEMA FORM 12-4 (11/79)

FEDERAL EMERGENCY MANAGEMENT AGENCY OFFICE OF INSPECTOR GENERAL	File No. 00-0084

On May 9, 1984, Robert D. Kemp, Assistant Facility Manager, Office of Management and Administration, NETC, was interviewed and he has been in his present position since March 1979. Concerning the microwave dish antenna, the idea was to hook the antenna up to all the education buildings and the student lounge at NETC. He was told by Duane Murray to have it hooked up to N Building where Fred Villella's office is located. The TV reception in N Building (Villella's office) was very poor because of the distance from where the antenna was physically located and an amplifier had to be installed. The antenna was put on the edge of the main campus because it was considered to be somewhat of an eyesore and the general feeling was to hide it as best they could. Subsequently, the antenna was hooked up to the student lounge. He did not know how much the antenna was used for official business or in connection with training.

Kemp advised that inasmuch as he is the Facility Manager is in charge of furniture and the general housekeeping for NETC. As such he was told by Frank Payne, presently the Deputy Director of NETC, to order a recliner chair, a queen size mattress, and three maple headborads for beds. The mattress and chair were put in the executive suite (Building A, suite 300) and the headboards were put in suites in the L Building which are used to house high ranking dignitaries who visit NETC.

The telephone system at NETC has the capability to log every outgoing call made from any telephone at NETC. The system records what instrument initiated the call, date and time the call was initiated, length of call and the number called. This information is recorded on a magnetic computer tape and has to be sent to the Special Facility in order to be processed and printed on a computer printout. This was done on a monthly basis and, until sometime in 1982, efforts were made to keep track of who was making the long distance calls. In July or August 1982, the person who was handling that quit and no one else has been assigned the task since that time. Kemp stated that periodically he would do some checking on the phone calls. The last time he did that was in April 1983 when he brought it to the attention of Payne that some of the consultants were making what appeared to be personal calls in that the calls were recorded as being made during the early morning hours of the day (shortly after midnight). Payne told him not to bother doing any more checking of the telephone usage and that was the last time any telephone usage checking was done. The last printout NETC received from the Special Facility was about six months ago (late 1983). To the best of his knowledge, no one has ever checked the telephone usage of Villella's phone.

By: Charles E. Richter, Jr. CR	Date Dictated: 5/15/84
At: Emmitsburg, MD	Date Transcribed: 5/21/84

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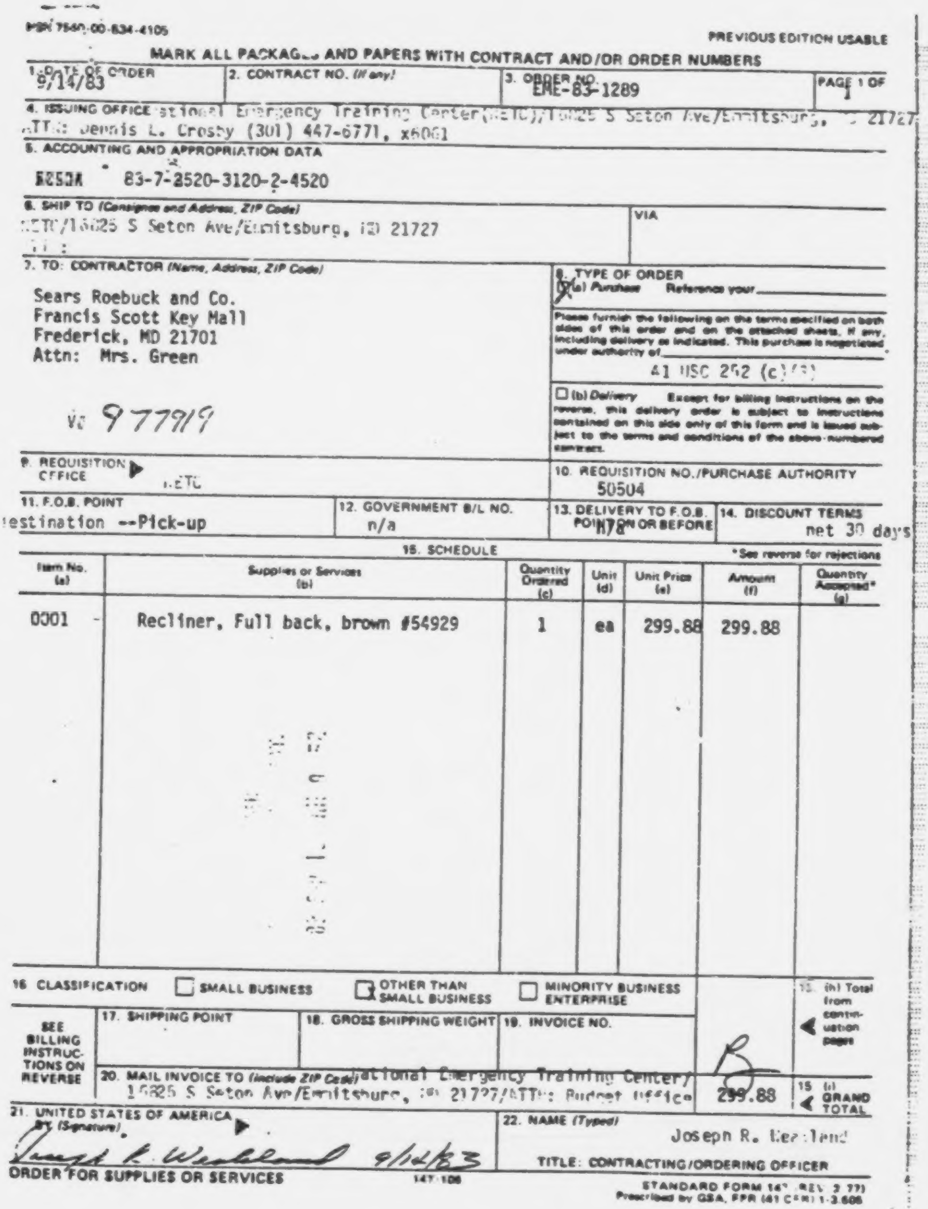
FEMA FORM 12-4 (11/79)



NSN 7540-00-634-4105

PREVIOUS EDITION USABLE

MARK ALL PACKAGES AND PAPERS WITH CONTRACT AND/OR ORDER NUMBERS

1. DATE OF ORDER 9/14/83	2. CONTRACT NO. *(If any)*	3. ORDER NO. EME-83-1289	PAGE 1 OF 1

4. ISSUING OFFICE ational Emergency Training Center(NETC)/16825 S Seton Ave/Emmitsburg, 21727
ATTN: Dennis L. Crosby (301) 447-6771, x6061

5. ACCOUNTING AND APPROPRIATION DATA
5E53A 83-7-2520-3120-2-4520

6. SHIP TO *(Consignee and Address, ZIP Code)*
NETC/16825 S Seton Ave/Emmitsburg, MD 21727

VIA

7. TO: CONTRACTOR *(Name, Address, ZIP Code)*
Sears Roebuck and Co.
Francis Scott Key Mall
Frederick, MD 21701
Attn: Mrs. Green

Vc 977919

8. TYPE OF ORDER
☒ (a) *Purchase* Reference your ________

Please furnish the following on the terms specified on both sides of this order and on the attached sheets, if any, including delivery as indicated. This purchase is negotiated under authority of
41 USC 252 (c)(3)

☐ (b) *Delivery* Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

9. REQUISITION OFFICE ▶ NETC

10. REQUISITION NO./PURCHASE AUTHORITY
50504

11. F.O.B. POINT estination --Pick-up	12. GOVERNMENT B/L NO. n/a	13. DELIVERY TO F.O.B. POINT ON OR BEFORE n/a	14. DISCOUNT TERMS net 30 days

15. SCHEDULE

*See reverse for rejections

Item No. (a)	Supplies or Services (b)	Quantity Ordered (c)	Unit (d)	Unit Price (e)	Amount (f)	Quantity Accepted* (g)
0001	Recliner, Full back, brown #54929	1	ea	299.88	299.88	

16. CLASSIFICATION ☐ SMALL BUSINESS ☒ OTHER THAN SMALL BUSINESS ☐ MINORITY BUSINESS ENTERPRISE

15. (h) Total from continuation pages ◀

SEE BILLING INSTRUCTIONS ON REVERSE

17. SHIPPING POINT

18. GROSS SHIPPING WEIGHT

19. INVOICE NO.

20. MAIL INVOICE TO *(Include ZIP Code)* National Emergency Training Center/
16825 S Seton Ave/Emmitsburg, MD 21727/ATTN: Budget Office

299.88 ◀ 15. (i) GRAND TOTAL

21. UNITED STATES OF AMERICA
BY *(Signature)* ▶
Joseph R. Westland 9/14/83

22. NAME *(Typed)*
Joseph R. Westland
TITLE: CONTRACTING/ORDERING OFFICER

ORDER FOR SUPPLIES OR SERVICES 147-106

STANDARD FORM 147 (REV. 2-77)
Prescribed by GSA, FPR (41 CFR) 1-3.606

FEDERAL [illegible]RGENCY MANAGEMENT AGENCY

REQUISITION AND COMMITMENT FOR SERVICES AND SUPPLIES

DOCUMENT CONTROL NO 50504

SEE INSTRUCTIONS ON REVERSE

1. PROGRAM OFFICE *(Office Symbol, Building, Room No.)* [illegible]/Facility

2. PROJECT OFFICER *(Name and Telephone No.)* Robert D. Kemp ([illegible]) [illegible]-0771

3. DATE OF REQUEST 9-1[illegible]-8[illegible]

4. ESTIMATED PERIOD OF PERFORMANCE

5. DATE REQUIRED [illegible]

6. TOTAL ESTIMATED COST [illegible]

7. DELIVER TO NAME *(Include Office Symbol, Building, Room No. - if different than Item 1)* [illegible]

☐ Ship to Headquarters Services Division

8. SUGGESTED SOURCE(S) *(Name, Address, Contact, Telephone No.)* [illegible]

☐ Attached

9. PROJECT TITLE DESCRIPTION OF SUPPLIES, EQUIPMENT AND/OR SERVICES *(For supplies indicate item/model/stock number, item name, quantity, unit price and amount - Attach an additional sheet, if necessary)*

For VIP Suite.

1 each [illegible] chair

10. LIST OF ATTACHMENTS

☐ SCOPE/STATEMENT OF WORK
☐ PROPOSAL EVALUATION CRITERIA
☐ INDEPENDENT GOVERNMENT ESTIMATE
☐ SECURITY CLASSIFICATION SPECIFICATIONS (DD Form 254)
☐ RECOMMENDATION FOR NONCOMPETITIVE PROCUREMENT
☐ GOVERNMENT PROPERTY
☐ REPORTS AND DATA
☐ OTHER *(Specify)*

11. REFERENCES

☐ AMENDMENT MODIFICATION TO ______
☐ CLASSIFIED DOCUMENTS
☐ PREVIOUS REQUISITION NO ______
☐ OTHER *(Specify)*

12. JUSTIFICATION COMMENTS *(Attach an additional sheet, if necessary)*

For VIP Suite.

13. APPROVALS - PROGRAM AREA

Robert D. Kemp
Project Officer — Date

[illegible]
Intermediate Approval — Date [illegible]

[illegible]
Program Head — Date

Other Coordination — Date
Other Coordination — Date
Other Coordination — Date
Other Coordination — Date
Other Coordination — Date

14. APPROVALS - ADMINISTRATIVE *(Supplies and Equipment)*

Headquarters Services Division — Date

Contact: ______

15. FUNDING

83-7-3520-3140-2-4580

Funds in the amount of $ ______ are hereby certified available and reserved.

Certifying Officer — Date

16. ASSIGNMENT

	NAME	TELEPHONE NO.	DATE PR RECEIVED
CONTRACTING/ASSISTANCE OFFICER			
CONTRACT SPECIALIST			

FEMA Form 40-1, AUG 82 REPLACES EDITION OF 5/80 WHICH WILL NOT BE USED

FEDERAL EMERGENCY MANAGEMENT AGENCY OFFICE OF INSPECTOR GENERAL	File No. 00-0084

On May 9, 1984, Duane Murray, Assistant Associate Director, Office of Management and Administration, NETC, was interviewed and he provided the following information:

When Fred Villella first arrived at NETC he indicated he would like to ultimately have a satellite receiving and uplink system so NETC could receive and send/transmit training programs and information. The down link system (mircowave dish antenna) was purchased and Villella said he wanted to have it hooked up to his office (in N Building) instead of the media center. The plan is to move the media center to N Building and move the dish antenna on top of it so the media center will have the capability of broadcasting the programs received via the antenna all over NETC. At the present time there are several technical problems that stand in the way of hooking the antenna up to each educational building at NETC. There was no justification written up for the purchase of the antenna but Murray contended none was really necessary.

Concerning the telephone usage at NETC, about six months ago, Robert D. Kemp, Assistant Facility Manager, mentioned that he had been told not to monitor the telephone usage at NECT any more. Murray was aware that telephone usage had been monitored in the past and he was also aware that there were many instances of what appeared to be improper telephone usage. Kemp told him that Frank Payne, Deputy Director of NETC, had told him to stop monitoring the telephone usage.

By: Charles E. Richter, Jr.	Date Dictated: 5/16/84
At: Emmitsburg, MD	Date Transcribed: 5/21/84

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FEDERAL EMERGENCY MANAGEMENT AGENCY
OFFICE OF INSPECTOR GENERAL

File No: 00-1[illegible]4

On May 8, 1984, Charles H. Boenne, Acting Director, Training and Fire Programs Directorate, Washington Office, was interviewed and he advised that initially a microwave dish antenna was rented for one day to see a specific training program that was being broadcast via satellite. After viewing the program it was realized what a potential educational tool it would be to have one of the these antennas at NETC. Boenne said it was also learned that the NASA satellites could also be used to transmit programs at certain times but the transmitting equipment was quite expensive and the idea of purchasing this equipment was given up for the time being. The decision was made to purchase a dish antenna for NETC, hook it up to the various educational buildings and also to the student lounge. The first hook up was made to Fred Villella's office and since that time the student lounge has also been hooked up.

By: Charles E. Richter, Jr.	Date Dictated: 5/15/84
At: Washington, D.C.	Date Transcribed: 5/22/84

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FEMA FORM 124 (11/79)

FEDERAL EMERGENCY MANAGEMENT AGENCY
OFFICE OF INSPECTOR GENERAL

File No.
00-0084

On May 31, 1984, William F. Seifried, Special Assistant to the Associate Director for Training and Fire Programs, was interviewed by reporting agent and John T. Thiede, Deputy Inspector General. Seifried advised that he worked at NETC from May 1979 until November 1983 and during this time span he held a variety of jobs at NETC; Superintendent of the National Fire Academy; Superintendent of the Emergency Management Institute; Special Assistant to the Director of NETC and Executive Assistant to the Associate Director for Training and Fire Programs. He has been at his present position at FEMA headquarters since November 1983.

Seifried was not involved in the acquiring of the microwave antenna that was purchased by NETC nor did he have anything to do with the installation or hooking it up. He did recall that shortly after the antenna had been installed and hooked up to Fred Villella's TV, Villella came to him and asked him why it was hooked up to his TV. Seifried remembered that Villella seemed to be annoyed that someone had taken it upon themselves to hook up his TV to the antenna. He did not know why it had been hooked up to Villella's TV but he contended it was not Villella who initiated the action to have it done. Originally the idea was to hook the antenna up to the student center TV but NETC ran out of money and they had to wait until the next fiscal year before they could do that. A secondary reason for obtaining the dish antenna was to use it to pick up special educational TV broadcasts and for transmitting educational and training programs.

By: Charles E. Richter Jr.
Date Dictated: 5/31/84
At: Washington, D.C.
Date Transcribed: 6/4/84

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FEMA FORM 12-4 (11/79)

FEDER MERGENCY MANAGEMENT AGENCY
OFFICE OF INSPECTOR GENERAL

File No. 00-0084

On May 3, 1984, Marie Eyler, Assistant Supervisor of Housekeepers, Larry's Service Co., NETC, was interviewed and she reported the following information:

She has been working as a contract employee (housekeeper) at NETC since the summer of 1980. Sometime in the spring or summer, approximately 2 years ago, she was taken to Fred Villella's home in the Washington, D.C. area (address unknown) along with 3 other housekeepers from NETC. The other 3 women were Ellen Stubs, Housekeepers' Supervisor; Sandy Wormly (phonetic) and Cantrina Berer (phonetic). She and the other three women had volunteered to clean Villella's private residence.

They left NETC at about 3:30 p.m. in a NETC owned stationwagon. Connie Peresda, a security guard at NETC, drove the stationwagon. She noted the housekeepers get off work at 1:30 p.m. so they were off duty but she did not know if Peresada was on or off duty. They spent 3-4 hours cleaning the house under the direction of Mrs. Villella and returned to NETC in the stationwagon. Peresada remained at the house the entire time but she did not do any cleaning.

On the way back they stopped to get something to eat and arrived back at NETC around 9:00 p.m. It took approximately one hour to drive each way to Villella's house. This was the only time that any of the housekeepers at NETC cleaned his house. After they finished the work, Mrs. Villella paid each of them except Peresada and later Stubs gave them some more money that Villella had given her to pay them. They were paid in cash and Peresada was not paid by either Mr. or Mrs. Villella.

By: Charles E. Richter, JR.	Date Dictated: 5/3/84
At: Emmitsburg, MD	Date Transcribed: 5/7/84

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FEDERAL EMERGENCY MANAGEMENT AGENCY **OFFICE OF INSPECTOR GENERAL**	File No. 00-0084

On May 9, 1984, Sandra Wormley, Housekeeper, Larry's Service Co., NETC, was interviewed and she reported the following information:

She has been working as a contract employee (housekeeper) at NETC and sometime in the spring or fall of 1982, she and several other women who work as housekeepers at NETC went to Fred Villella's house in the Washington, D.C. area to clean it. She could not recall what date they went, or for that matter the time of year, other than other that than it was warm. She was not familiar with the D.C. area so she did not know where they went other than it took about 45 minutes to drive there from NETC. Villella had asked them to clean the house he was going to move into and she agreed, along with the other women.

Connie Peresada, one of the contract security guards at NETC, drove them to the house in what she presumed was a government vehicle. They left NETC at 4:00 pm. or 5:00 pm., went to the house and met Mrs. Villella there, who told them what she wanted them to do. They were there about three hours and then they returned to NETC. One of the women in charge (Ellen Stubs) paid them in cash, but she did not pay Peresada. When they arrived back at NETC it was dark, but she did not remember what time it was. She noted that the housekeepers were off duty at NETC around 1:30 pm. so they did the work on their own time. This was the only time that any of the housekeepers cleaned a house for Villella.

By: Charles E. Richter, Jr.	Date Dictated: 5/18/84
At: Emmitsburg, MD	Date Transcribed: 5/23/84

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FEMA FORM 12-4 (11/78)

FEDERAL EMERGENCY MANAGEMENT AGENCY
OFFICE OF INSPECTOR GENERAL

File No. 00-0084

On June 6, 1984 Ellen Staub, former Chief Housekeeper, NETC was telephonically contacted ((301) 447-6384) by reporting agent and she provided the following information:

Sometime about two years ago, Fred Villella asked her if she and some of the other housekeepers at NETC would clean his personal residence. She agreed and she and four or five other housekeepers were taken into the Washington, D.C. area by Connie Peresada, who was a contract security guard at NETC and who was assigned the duties as Villella's driver. Peresada drove them to Villella's home in a marked U.S. Government vehicle. Staub could not recall what date this was, when they left or returned to NETC, but she did recall it was after their normal duty hours and all the personnel, except for Peresada, were not on duty. She did not know who told Peresada to take a government vehicle and, quite frankly, did not think anything about it. She knew that Peresada was Villella's driver and she assumed that Villella had authorized the use of the government vehicle.

Mrs. Villella was at the house and paid her a $50.00 tip which she (Staub) split up among the housekeepers, but none was given to Peresada. Villella subsequently paid her for the cleaning job, asking her how many housekeepers worked and what did they charge. The money she received from Villella she split up among the other housekeepers who worked at his house. None was given to Peresada.

Villella did not indicate that the money he gave her was to pay Peresada also, it was to be used to only pay the housekeepers who did the cleaning.

By: Charles E. Richter, Jr., Special Agent	Date Dictated: June 7, 1984
At: Washington, D.C.	Date Transcribed: June 8, 1984

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FEDERAL EMERGENCY MANAGEMENT AGENCY
OFFICE OF INSPECTOR GENERAL

File No.
00-0384

On May 9, 1984, Connie Jean Peresada, Security Officer, Wells Fargo, NETC, was interviewed and she provided the following information:

She was first employed at NETC by the security contract at NETC on July 27, 1981. For the first three days she was a receptionist and from the end of July 1981 until January 1983 she was assigned to be Fred Villelle's driver. In addition to driving a government leased car for Villella, she was also given special little assignments by Villella. She did things like take photographs for the NETC historical folder, go on the mail run and do personal things for Villella such as keeping his appointment calendar up to date and in certain times of the year, get some of his income tax information together and in the order he requested.

She drove government vehicles when she drove him around. She took him to various places, many of which were in Washington, D.C. such as the Donohoe Building, Congressional hearings, cocktail parties, and occasionally she took him to his doctor. She took him to his doctor in Emmitsburg five different times and to his dentist in Ft. Ritchie, MD twice during the time she was his driver. Additionally, she would go to the bank to cash checks for him, both when he was in Washington and also in Emmitsburg; pick-up medication from the drugstore; get his lunch; drop off and pick-up his cleaning from the dry cleaners; go to his apartment in Frederick, MD and later when he moved to Bethesda to pick-up papers and a change of clothes and various other items he may have requested. Trips to his home to pick up various items (personal and professional) were more prevalent after she had been driving for him for a year.

Prior to his wife moving to Washington, D.C., Villella did not have his own personal car except when she came to visit him. Peresada was of the opinion it was about a year before his wife moved to the area and he was without a car until that time. Peresada frequently would pick him up at this apartment in the Waverly Apartments, on Route 40 in Frederick, in the morning and take him to work at the NETC. She stated she did this on an average of two times a week for about a year. She did not recall any time when she brought him home from NETC although many times she would drop him off at his home when they were returning from a meeting in Washington, D.C. She did not drive him anywhere on weekends except once or twice she picked him up at the airport when he returned from a trip. On one occasion when he asked her to do some task for him, she asked him what car she should use and he angrily told her to get one from the motor pool. Ever since that time, she just used his leased car to do his errands without asking him what car to use.

Her employer paid her regular wages for eight hours a day and whenever her driving duties required that she work longer than eight hours, she was paid overtime. Many of her working days were longer than eight hours and she frequently tried to get herself transferred back to the regular guard

By:
Charles E. Richter, Jr.

Date Dictated:
5/16/84

At:
Emmitsburgh, MD

Date Transcribed:
5/21/84

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Its contents are not to be disclosed to unauthorized persons.

force. She was told this would be done as soon as they could find a replacement for her, but it was not accomplished until January 1983. On more than one occasion she recalled telling Villella that he should not have her doing some of the things he asked her to do because everyone (meaning NETC co-workers) was watching them and she felt it was wrong for her to do some of the personal jobs. He told her not to worry, that they were just a bunch a bureaucrats. She also recalled that whenever she drove him to the Donohoe Building, he always wanted her to park in the underground garage. He said he did not want anyone to see her driving his car.

Sometime during the summer or fall of 1982, she drove several of the housekeepers to NETC to Villella's house in Bethesda, MD. He had just purchased the house and he needed it to be cleaned. Since she knew how to get there, she thought Villella told her to take the women down there to do the cleaning. She did not volunteer to do it and she certainly did not volunteer to use her own car. She checked out a government stationwagon from the NETC motor pool and drove the women down and back in it. She did not recall anyone telling her what car to use but she had performed personal jobs for him in the past using a government car so she assumed she was to use the government car for this job.

Mrs. Villella was there when they arrived and she gave the cleaning ladies instructions and then left. Peresda did not recall when they left NETC to go to the house but she did recall it was late when they arrived back at NETC. She can recall that it was dark when they left Villella's house on the way home. They stopped in Frederick to pick up something to drink and then drove back to NETC. The cleaning ladies were paid by Villella. However, she was paid by her employer (the company having the security guard contract at NETC) and since it was longer than an eight hour day, she was paid overtime for the day. How much she received for that day she could not recall. It was not listed in the security guard contract that she was supposed to leave the NETC grounds. When she did it the first time, she notified her supervisor of what had been requested of her and he found out from the company that she was to do whatever Villella asked her to do.

Peresda was aware of a "money folder" with $25 or $30 in cash that was kept under the front seat in Villella's leased car. Whenever she expended some money for the car she would bring the receipt into Beth Miller (the Imprest Fund Cashier) and Miller would reimburse the fund for the value of the receipts submitted. When she stopped driving for Villella the money folder was still being used and still kept under the front seat.

She was aware that some of the consultants who worked at NETC had driven Villella's car with and without him. Occasionally, one of the other security guards at NETC drove the vehicle. His secretary has also driven the car when she was doing some errands for him.

Since January 1983, she has been assigned as the Housing Officer. Some of that time she worked with Sue Downin, but much of the time she has been the only person in the office. Her job in the housing office has been to assign all rooms, keep track of who is in what room, take room reservations and maintain a key board with keys for all the rooms.

Peresada stated that when she was Villella's driver she normally did not keep any log record of her day to day activities. There were some days however that she did write down what she did. She provided reporting agent with copies of several of those daily logs and they are attached to this report.

ALLIED SECURITY INC.
OF MARYLAND

DAILY LOG

Date: 12/6/82

GUARD: Pvt. Connie J. peresada   TIME IN: 0900   TIME OUT: 1700

TIME	REMARKS
0900	On site N bldg. --Doing filing for Director's office, typing on lexitron for director, did his calendar, revised his pocket datebook
1000	Put gas in Director's car
1030	Went to Mary Wyatt's office for gas money.
1100	Did more filing in the director's office. Got director something to drink at 1300
1330	Had lunch in A bldg security office .
1400	Did more filing in the Director's office. Put director's car in A bldg. parking lot at 1600 hours.
1615	Came back to N bldg. Delivered x some material to K bldg. to X Rosemary MacDermott
1640	Entered N bldg. again said goodbye left N bldg.
1645	Witnessed confrontation between a young man and Mr. Rickerson in N bldg. parking area.
1700	Signed out at A bldg.

SIGNATURE: Pvt. Connie J. Peresada

MTL

ALLIED SECURITY INC.
OF MARYLAND

DAILY LOG

Date: 12/7/82

GUARD: Pvt/ Connie J. Peresada TIME IN: 0800 TIME OUT: 1700

TIME	REMARKS
0800	On site A bldg. ~~Typed~~ Wrote up incident report from day before. finished at 0845
0850	Entered N bldg.
0930	Went to bank, post office, picked up coffee for the office, and put gas in the
	Director's car.
1000	back on site, went to Mary Wyatt's office for gas money.
1030	On site at N bldg., Did filing for director.
1130	Signed NETC time cards onm signature machine.
1200	Did filing for director again.
1300	Had lunch in A bldg. security office
1400	Typed up incident repomt from 12/7/82
1500	Went up to 3rd floor of N bldg. to tell Mr. Villella it was 3:00
	Did more filing.
1630	Delivered material to K bldg. to Rosemarjy MacDermott
1645	At post in N bldg.
1650	Ran uop to 3rd floor N bldg. to tell Mr. Villella it was 4:00, came back down to
	my work area. Mr. Villella asked me to walk him to the car, as we exited N bldg.
	he asked me why I keep parking his car in A parking lot. I replied that I didn't
	want to get in trouble for parking in the wrong areas. He asked who told me I
	would get into trouble, I x said the people who make the rules. Then he said,
	"xxxx well you know Connie, I have a little bit more authority then Lt. Gary Sharb."
1700	Departed A bldg.

SIGNATURE:

ALLIED SECURITY INC.
OF MARYLAND

Page #2

DAILY LOG

Date: 12/8/82

GUARD: Pvt. Connie J. Peresada TIME IN: 0800 TIME OUT: 1700

TIME	REMARKS
0800	On site a building
0810	At post in N bldg.
0845	Got coffee for Director
0850	Moved director's car to A parking lot. Went to the director's dorm room
	and got his glasses, brought them back to N bldg.
0900	Started doing reading files in director's office
0905	Director asked me to go get hid wedding band from a suit jacket hanging in
	his car - I did.
0915	Back to reading files
1020	I was instructed to carry material to Mr. John Collins, Mr. Donovan, Ron Face
	and Eileen Harrison's office.
1045	Back on site N bldg. Doing reading files.
1230	Took post at the director's secretary's desk, answering the telephone.
1300	Went to cafetetria and picked up the director's lunch.
1315	I went to A bldg. security office for lunch.
1345	Back on post site bldg. N bldg.
1350	Took director's car to get gas.
1430 Back	Bask on post in N bldg.
1500	Typed up daily log for today.
1600	~~In~~ Student Craig Callicotti viaited with me, regarding incident on 12/6/82.

SIGNATURE: Pvt. Connie J. Peresada

ALLIED SECURITY INC.
OF MARYLAND

XPage # 2 2

DAILY LOG

Date: 12/8/82

GUARD: Pvt. Connie J. Pereseda TIME IN: 0800 TIME OUT: 1700

TIME	REMARKS
1630	Revised the director's schedule on the lexitron machine.
1650	Did some xeroxing for Mr. Boehne
1700	Signed out at security office .

SIGNATURE: Pvt Connie Pereseda
NCJ

ALLIED SECURITY INC.
OF MARYLAND

DAILY LOG

Date: 12/10/82

GUARD: Pvt. Connie J. Pereaada TIME IN: 0815 TIME OUT: 1615

TIME	REMARKS
0815	On site A bldg.
0820	On site N bldg. Answered telephones, did some filing for the director's office.
1000	Left for Gettysburg to pick up dry cleaning for Mr. Villella (Blue suit).
1050	Arrived back on campus, back at post #7 N bldg.
1300	Had my lunch in A building.
1400	Accompanied Lt. Shorb, and assisted him in doing a Security Survey of buildings
	F and G.
1615	Departed A building.

SIGNATURE:

ALLIED SECURITY INC.
OF MARYLAND

Page # 1

DAILY LOG

Date: 12/13/82

GUARD: ~~[illegible]~~ Pvt. Connie J. Peresada TIME IN: 0800 TIME OUT: 1600

TIME	REMARKS
0800	On site N bldg. Made coffee. answered telephones
0845	I was informed that I would be driving the director to Ft. McNair, Wash. D.C.
	I ~~was~~ put gas in the directors car, also windshield wiper fluid.
1000	I went to Mary Wyatt's office for gas money.
1025	I departed N bldg. with the director heading for Ft. McNair
1145	We arrived at Ft. McNair. the director went into the meeting. (Just before he
	left the car he told me I should drive around a little and maybe if I had time
	get the car washed~~)~~. I did drive around for a short time maybe 10 minutes,
	during those 10 minutes on my way back down SW 6 th street towards Ft. McNair
	I had to stop for a red light. I was sittingthere with my foot on the brake
	waiting ofr the light to change when something hit me from behind. I hit my
	head on the rear view mirror as the seat pushed my back towards the steering
	wheel. The force that hit my car caused me to hit the car in front of me. (A
	large white car, with a black male driver). This gentleman got out of his car
	came back to mine and started giving me the devil when we both realissed that I
	had been struck ~~from behi~~ from behind by a small blue car with an older black
	lady driving. (Tag number 580-767 Washington, D.C.) Time of incident was 12:25
	Evidently the owner of the car had hit her brakes on some ice while ~~trying~~ trying
	to stop at the red light in front of us. At the ~~tim~~ time of the accident I exper-
	ienced discomfort in middle of my back, right of my spine. I had never been hit

SIGNATURE: Pvt. Con J. Pereda

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C.W.M.

ALLIED SECURITY INC.
OF MARYLAND

Page # 2

DAILY LOG

Date: 12/13/82

GUARD: Pvt. Connie J. Peresada TIME IN: 0800 TIME OUT: 1600

TIME	REMARKS
	from behind like that before, I thought that the discomfort was only temporary.
	I felt the discomfort in my back driving back from Washington to Emmitsburg,
	so I kept my back tight back against the car seat which seem to make it feel better.
	The gentleman in front of me seem to be unhurt, the older woman was sitting behind
	the steeringwheel of her car in a little bit of a daze when I finally reached her.
	The gentleman and I examined our cars and decided that there was no damage and left
	shortly thereafter. I returned to Ft. McNair and later wrote a message to the
	director and passed it to the back seat where he was sitting.
1500	We arrived on campus (netc). Another guard andmyself carried bags belonging to
	some visitors to their rooms in F bldg.
1545	I received a call from Seton Center asking me to come pick up my daughter Joy
	who was ill.
1600	Departed A bldg.

SIGNATURE Pvt Connie J. Peresada

C.W.M.

LIED SECURITY I
OF MARYLAND

DAILY LOG

Date: 12/14/82

GUARD: Pvt. Connie J. Peresada
TIME IN: 0800
TIME OUT: 1700

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TIME	REMARKS
0800	On site Abldg.
08 0805	On site N bldg. post #7 Made coffee, answered telephones.
0900	Anwweringx telephones and doing December Reading Files
1400	I went to see the campus nurse and told her about my accident yesterday. and
	also told her that I am having some discomfort in my back today. She examined
	my back and made a doctor appointment for me for December 16. at 3:15p.m. She
	advised me to take some tylenol for any pain I might experience.
1445	I had lunch in A bldg.
1500	Back on post in N bldg. I went to the bank for the director. and while I was
	out I put gas and oil in the car and ran it through an automatic car wash.
1555	Back on post in N bldg.
1600	I took Mr. Villella over to the doctors office.
1640	Back on post in N bldg. I typed up my daily log.
1700	Departed A building

SIGNATURE: Pvt. Connie J. Peresada

ALLIED SECURITY INC.
OF MARYLAND

DAILY LOG

Date 12/15/82

GUARD: Pvt. Connie J. Pereada TIME IN 0800 TIME OUT 1645

TIME	REMARKS
0800	On site a bldg.
0803	At post in N bldg. Made coffee, answered telephones until 0830
0830	I revised director's pocket calendar book. also revised his calendar on the wall
	in the lexitron room.
-1000	Took a message over to K bldg. to Mr. Bob Vickers
1030	I took a message over to Mr. John Collins in E bldg.
1045	Back in N bldg.
1100	Doing reading files for the director.
1320	Had my lunch in A bldg.
1400	Back in N bldg. Doing more reading files for director's office.
1600	Did search for over due items in reading files, etc.
1440	Typed my daily log.
1645	departed N bldg.

SIGNATURE: Pvt. Connie J. Pereada

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ALLIED SECURITY INC.
OF MARYLAND

DAILY LOG

Date: 1/4/83

GUARD: Pvt. Connie J. Peresada TIME IN: 0810 TIME OUT: 1700

TIME	REMARKS
0810	On site in A bldg.
0815	At post in N bldg. Made coffee, answered telephones, revised Mr. Villella's
	Schedule on the lexitron machine.
0950	Entered Mr. Villella's schedule into his new date book.
1150	Signed time cards on signature machine.
1220	I chauffeured Mr. Frank Payne to the barber shop in Emmitsburg.
1400	I had lunch in A bldg.
1430	I went to Frederick to pick up some material from the Heart Assn.
1500	Back on campus, I then finished entering names, addresses and telephone numbers
	into Mr. Villella's new pocket datebook. I signed a few things for Mr. Boehne
	on the signature machine.
1700	X Departed A bldg.

SIGNATURE: Pvt. Connie Peresada

1-1

ALLIED SECURITY INC.
OF MARYLAND

DAILY LOG

Date: 1/5/83

GUARD: Pvt. Connie J. Peresada TIME IN: 0800 TIME OUT: 1645

TIME	REMARKS
0800	At post in N bldg. Made coffee, answered telephones.
0900	~~X~~ Typing and organizing Mr. Villella's 1982 tax ~~tx~~ material.
1010	Took a recorder tape and transcriber over to K bldg. ~~a~~for Doris Pine.
1020	I xeroxed some material for Linda in the library.
1030	More typing of tax material. Answering telephones.
1330	Had lunch in A bldg.
1400	At post in N bldg. Did my filing, and answered ~~x~~ telephones.
1645	Departed A bldg.

SIGNATURE Pvt. Connie J. Peresada

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1-2.

ALLIED SECURITY INC.
OF MARYLAND

Page 1

DAILY LOG

Date: 1/7/82

GUARD: Pvt. Connie J. Peresada TIME IN: 0800 TIME OUT: 1715

TIME	REMARKS
0800	On site A bldg.
0803	At post in N bldg. Made coffee, answered telephones, did some filing.
0930	Delivered dirty dishes to cafeteria. delivered some paperwork to Rose-Mary McDermott's office. came back to cafeteria took 6 coffee cups, 6 saucers, 6 drinking glasses, and 3 spoons over to the director's office in N building.
945	Mr. Duane Murray called me into his office and informed me that I may return to the Security force as soon as he hires someone for my position in N bldg.
1000	Made more coffee, served 3 of mr.-Villella's guests. Answered telephones.
1045	Brought Mr. Villella's suiteover to N bldg. for the cleaners to pick up.
1100	Went to E bldg. for gas money from Beth Miller. Stopped by Transportation Dept. asked Austin about cleaning the director's car. He said he would, and asked for two dollars for the car wash, I gave him two dollars out of the gas money.
1115	Back at post in N bldg. Answering telephones and working on more tax material.
1335	Went to A bldg. for lunch.
1400	Back at post in N bldg. Working on tax material, and answering telephones.
1500	I delivered some paperwork to K bldg. to Rosemary McDermott.
1515	Back at post in N bldg. Working on tax material and answering telephones.

SIGNATURE: Pvt. Connie Peresada

2-7.

/ LIED SECURITY I D.
OF MARYLAND

Page 2

DAILY LOG

Date: 1/7/83

GUARD: Pvt/ Connie J. Peresada   TIME IN: 0800   TIME OUT: 1715

TIME	REMARKS
1630	I was called inoo the Director's office. we discussed my job position here in
	N bldg., we did not resolve aosolution, and decided to contånue our discussion
	on Monday 1/11/83
1715	Departed A.I.I..

SIGNATURE: Pvt. Connie Peresada

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ALLIED SECURITY INC.
OF MARYLAND

DAILY LOG

Date: 1/10/83

GUARD: Pvt. Connie J. Peresada TIME IN: 0800 TIME OUT: 1700

TIME	REMARKS
0800	On site A bldg.
0803	At post N bldg. Made coffee, answered telephones.
0900	Took the director's car and put gas in it.
0930	Back on campus, went directly to A bldg., assisted Lt. Shorb and Trooper
a	DOA in room A-326.
1100	Back at post in N bldg. Working on Tax information for Mr. Villella.
	Entered some items in Mr. Villella's rollodex.
1400	Started working on a memo for Lt. Shorb of Security.
1600	Completed memo for Lt. Shorb, started typing incident report on DOA
1800	Departed A bldg.

SIGNATURE: Pvt. Connie J. Peresada

ALLIED SECURITY INC.
OF MARYLAND

DAILY LOG

Date: 1/11/83

GUARD: Pvt. Connie M. Feresada
TIME IN: 0830
TIME OUT: 1700

TIME	REMARKS
0830	On site in A bldg.
0835	At post in N bldg. Finished typing memo and incident report for Lt. Shorb. Answered telephones
1400	Had lunch, then took Mr. Villella's glasses to Gettysburg to be repaired.
1500	Back on campus, went over to J bldg. and assisted Lt. Shorb in locating a student. Lt. Shorb advised the student to keep his extra money in the safe on campus not in his room.
1530	Back at post in N bldg. Answering telephones, typed up a work order for Mr. Boehne. I turned my gate card back into Michele Jackson for A parking lot.
1640	Went to A parking lot a student needed help with his disabled car. While I was there I had to leave two different students vehicles out of the restricted parking lot.
1700	Departed A bldg.

SIGNATURE: Pvt. Connie Feresada

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LIED SECURITY I. C.
OF MARYLAND

Page 1

DAILY LOG

Date: 1/13/82

GUARD: Pvt. Connie J. Peresada   TIME IN: 0800   TIME OUT:

TIME	REMARKS
0850	On site In A bldg.
0800	At post in N bldg. Made coffee, answered telephones, did some filing, and
	returned a tape recorder to M bldg. for Linda Hurley.
0950	Typed up some more tax material for Mr. Villella, and set up
	some newfiles. I revised Mr. Villella's schedule on the lexitron machine,
	then did some xeroxing for Mr. Boehne.
1145	I had lunch in A bldg.
1215	Back at post in N bldg. answering telephones, anddoing some typing for Lt.
	Shorb (Memo & charts/logs). While answering the telephone at Eileen Harrison's
	desk I noticed she/someone left a dheck lying in the open on her desk for$78.00
	made out to Gateway Printing. I reported it to Lt. Shorb.
1500	~~Continued memo for~~ Lt. Shorb Completed memo for Lt. Shorb.
	Took suit that dry cleaners delivered ober to Mr. Villella's
	room, A 300.
1515	Back at post in N bldg. Mr. Boehne questioned me about the latest
	action regarding my desire to work out of the A bldg. Security ofc.
	doing only security related work. I told hineat this time no
	decission had been made by the director, but there is clerical
	work to be done if only I were allowed to take a position with
	my fellow guards, this is still my goal. Following our conver-

SIGNATURE: Pt. Connie J. Peresada

ALLIED SECURITY INC.
OF MARYLAND

Page 2

DAILY LOG

Date: 1/13/83

GUARD: Pvt. Connie J. Peresada TIME IN: 0800 TIME OUT: ______

TIME	REMARKS
	eation Mr. Boehne asked me to take charge of emptying his out box
	which I did unwillingly.
1600	Delivered [illegible] material to [illegible] and [illegible] bldg.
1630	[illegible]

SIGNATURE: Pvt. Connie Peresada

ALLIED SECURITY INC.
OF MARYLAND

DAILY LOG

Date 1/14/83

GUARD: Pvt. Connie J. Feresada TIME IN: 0800 TIME OUT: 1645

TIME	REMARKS
0800	On site in A bldg.
0803	At post in N bldg. Made coffee, answered telephones
1000	Completed Note Switchboard log for Lt. Shorb.
1030	The director arrived on campus, I got his coffee, then I went
	over to [illegible] for [illegible]. I took the director's car
	and had gas put in it.
1140	Back at post in N bldg. Entered an item on Mr. Villella's
	tax material list. Answered telephones, made more coffee
1330	I had lunch in A bldg.
1350	Back at post in N bldg. Worked on memo for Lt. Shorb. I
	called Vernon K. about the cleaning the director's car.
1630	I completed memo for Lt. Shorb
1645	Departed A Bldg.

SIGNATURE: Pvt. Connie J.

ATl

Federal Emergency Management Agency

National Emergency Training Center
Emmitsburg, Maryland 21727

January 6,1983

MEMORANDUM FOR: Fred J. Villella, Associate Director for Training and Education

FROM: Duane Murray, Deputy Associate Director for Training and Education

SUBJECT: Billing for overnight accommodations at the National Emergency Training Center (NETC)

This memorandum represents a billing to you for overnight accommodations at NETC for the following:

August 1,1981 thru October 31,1982 previously billed on November 17,1982:	
TOTAL AMOUNT	$ 722.00
November 1,1982 thru December 31,1982:	
10 nights @$5.00 per night	$ 50.00
TOTAL AMOUNT DUE	$ 772.00

Your check should be made payable to the Federal Emergency Management Agency, and forwarded to Sue Downin for transmittal to FEMA Headquarters. If there is an error in this billing, please let me know.

FEDERAL EMERGENCY MANAGEMENT AGENCY
OFFICE OF INSPECTOR GENERAL

File No. 00-0064

On 5/3/84, Susan Downin, Coordination Assistant, Programs and Academics, NETC, was interviewed by reporting agent and John T. Thiede, Deputy Inspector General. Downin provided the following information:

She was formerly the Housing Coordinator for NETC from December 1980 - January 1984. Her job was to keep track of who stayed in the dormitory rooms every night and insure that they were cleaned up after being used. She would also reserve rooms or suites for people upon request. There was a standing reservation for suite 300 in building A everyday for Fred Villella. Sometimes he used the suite and sometimes a visiting dignitary used it.

When he first arrived at NETC in August 1981, he stayed there every night from August 1st through September 30, 1981. His wife stayed there for a part of this time. During the time period October 1st through December 23, 1981, he stayed there intermittently. His secretary would notify her in the morning if he stayed at the center the night before.

After January 1, 1982, she did not receive any notification whether or not Villella had used the suite. He had his own key to the suite and every morning the house keepers would check the suite to see if it had been used the night before. It it had, they cleaned it up and noted it on their "Rooms to be cleaned Form". She advised that even though the suite had been used, Villella may not have been the person who slept there. He reserved the suite for his use and sometimes he had visiting dignitaries sleep there. The billing that was sent to Villella for the period January 1st - December 31, 1982 was an estimate only and Duane Murray was the person who made the estimate. It was based on the cleaning reports.

In December 1982, housing records were put on a computer. Personnel would notify her of a day they wanted a room reserved and she would put it in the computer. She lost track of who actually stayed in a particular room/suite when they began using the computer but she did have a record of who reserved it. Also in December 1982, Frank Paine, Deputy Director, NETC, told her not to keep a record anymore of what FEMA employee stayed overnight at the Center. He told her there was some new instructions coming out that FEMA employees would not be charged for staying at the Center if they were out at the Center on official business. He also told her the new polciy was not to charge consultants who stayed overnight at the Center because it was more cost efficient to have them stay at the Center instead of staying at a local motel and charging for their lodging at the motel. He said the policy had been routed through either the Inspector Generals Office or General Counsel, she does not remember exactly which office was mentioned. She saw a draft of the new policy, but never saw the final version.

She noted that it is common practice for new employees to the Center who come from out of town to be allowed to stay at the Center until they find housing in the local area. He said that Villella had gotten approval of the Director that if he was required to be at NETC because of his job and had to attend late night meetings that she wouldn't have to bill him.

By: Charles E. Richter, Jr.
Date Dictated: 5/4/84
At: Washington, DC
Date Transcribed: 5/7/84

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FEMA FORM 12-4 (11/79)

They are charged the going rate of $5.00 a night and all people who have taken advantage of this policy have paid their bill; all people, that is, with the exception of Villella. He has not paid any money at all for any time he has stayed overnight at the Center. She recalled that sometime in 1982, Villella's daughter was married and the wedding was held at NETC in the chapel and the reception was held in the NETC dining hall. About twenty-five guests at the wedding were allowed to stay overnight in the Center's domitories. Villella did pay for their stay in the dormitories.

She admitted that Connie Peresada, a contract security guard at the Center, was her assistant in the housing coordination office for over a year and while she (Downin) is presently on a 90 day temporary detail, Peresada is the housing coordinator.

FEDERA .RGENCY MANAGEMENT AGENCY OFFICE OF INSPECTOR GENERAL	File No. 0C-0084

On April 27, 1984, George Jett, General Counsel, was interviewed by reporting agent and John T. Tniede, Deputy Inspector General. Jett stated that he told Fred J. Villella that he could not stay overnight at NETC on a regular basis without the Director of FEMA making a determination that it was necessary for him (Villella) to be at the Center because of the nature of the job. Jett said he explained to Villella that on occasion when Villella was at the Center late in the evening at an official function then it would be permissable for him to remain overnight there. In the event he did stay overnight, Villella was told he had to pay the going rate charged by the Center for his night's lodging. Jett insisted that he told Villella that and that there was no way that Villella could avoid paying for his lodging at the Center.

By: Charles E. Richter, Jr.	Date Dictated: 5/2/84
At: Washington, DC	Date Transcribed: 5/3/84

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FEMA FORM 12-4 (11/79)

Federal Emergency Management Agency

National Emergency Training Center
Emmitsburg, Maryland 21727

Feb 18, 1983

MEMORANDUM FOR: George Jett, General Counsel

Fred J. Villella

FROM: Fred J. Villella, Associate Director for Training and Education

SUBJECT: On-campus Lodging for Non-students

From time to time there have been questions raised relative to the authority to house non-students on the campus of the National Emergency Training Center (NETC). Clearly, we believe that authority exists to house Federal employees who are in a travel status to the NETC. Likewise, we believe that authority exists for all non-Federal employees who are invited to the campus on invitational travel orders. Beyond this level, however, your guidance is necessary. The following types of individuals have, from time-to-time, requested use of the dormitories at NETC:

1. Adjunct faculty - Adjunct faculty members are normally acquired through contract and, in most cases, it is with an individual rather than with a company. These contracts are fixed-price, but negotiated on the basis of paying a daily rate for the instructor, and include the cost of travel and miscellaneous expenses to and from the NETC, but do not include a sum for lodging. Providing a dormitory room at no expense to the adjunct faculty instructor is considered more economical than adding a cost to the contract to cover staying at a commercial motel facility.

2. Contractor Employees - We have several cost-reimbursement type contracts which require employees of the contractor to travel to the NETC for specific periods of time, either as instructors or course developers. Again, it seems reasonable to provide a dormitory room at the NETC since adding an amount to cover lodging at a commercial facility would increase the contract price considerably. The same applies in the case of fixed-price contracts where the negotiated price is based on government provided dormitory facilities. In the case of fixed-price contracts where no prior agreement is made, dormitory rooms could only be provided if the contract were modified to provide an adequate reduction.

3. Intermittent Consultants There are occasions when consultants are hired on an intermittent basis for consulting on various stages of the NETC operation. These consultants are entitled to travel expenses to the location where they are doing the consultancy, much in the same manner as an employee on travel status. Thus, it seems economical to provide these consultants with quarters, the same as any employee in travel status.

4. Fulltime Temporary Consultants - There are occasions when a fulltime temporary consultant is used for a period of up to one year. The duty station for this consultant is the NETC and he is not entitled to travel expenses in the same manner as an intermittent consultant. Due to the temporary nature of the assignment, however, the consultant normally does not change his permanent residence to the NETC vicinity. It seems reasonable to provide a dormitory room to the consultant who does not relocate to the NETC area. The cost of such facilities could be considered as part of the compensation package offered to the consultant.

5. Permanent Employees of the NETC Staff - There are occasions when a permanent employee of the NETC staff desires to reside in campus housing. One of these circumstances would be when an employee initially reports for duty at the NETC and has not yet obtained permanent housing. In some cases, the employee may be entitled to temporary housing benefits which government employees normally have under the travel regulations. In other cases, the employee may not be entitled to any permanent change of station expenses. In addition to new staff members, there are occasions when a permanent staff member is required to spend considerable evening hours teaching or having other interaction with the students. In some cases, it may be desirable to provide the employee with lodging rather than require him to travel back and forth to his residence.

CONCLUSION:

We believe that a positive response to all of the above items is imperative for economic reasons, for reasons of location and lack of sufficient commercial facilities, and in order to meet one of the goals of the training institution, i.e., to provide significant interchange among students and between students and staff, much of which is accomplished in after-hours situations. Also, having staff on campus during non-duty hours provides for supervision and the ability for on-call management in the case of emergencies, to the benefit of the Government.

Federal Emergency Management Agency
Washington, D.C. 20472

MAR 18 1983

MEMORANDUM FOR: FRED J. VILLELLA
Associate Director for Training and Education
National Emergency Training Center

THROUGH: GEORGE W. JETT
General Counsel

FROM: THOMAS AINORA
Attorney
Office of General Counsel

SUBJECT: NETC On-campus Lodging for Non-students

You have asked our advice on the lodging of certain categories of people at NETC. I have orally discussed this with Duane Murray of NETC and have advised him on this issue. I will take this opportunity to give a more formal written reply.

NETC does have authority to house students and FEMA employees in a travel status who are on official business and who require NETC lodging on a short term basis. Non-FEMA Federal employees may also be housed on a short term basis if they are on invitational travel orders. However, the provision of free overnight accommodations cannot be made solely for the convenience of the individuals involved. Providing these accommodations must confer a benefit on the Government. This is usually, if not always the case, and from the information available to me, I believe that students, FEMA employees and other Federal employees are presently being handled properly.

You have also asked about NETC's authority to house other individuals such as adjunct faculty, contractor employees, intermittent consultants, fulltime temporary consultants, and permanent employees of the NETC staff.

Under most circumstances permanent employees of the NETC staff may not be provided with housing at any time. For those being transferred, Government travel regulations provide for the transfer of employees and these must be followed. Lodging at NETC could be provided to save the expense of a hotel, but only for a period no longer than the period the Government would pay for hotel accommodations in the event of a transfer under the Government travel regulations.

Adjunct faculty contractor employees, and consultants hired under contract authority can be treated jointly as they are in the same general category of being in a contractual relationship with FEMA. The Government can and does often furnish Government property to contractors when the property is necessary for the contractor to perform work for the Government. Section XIII of the Armed Services Procurement Regulations (ASPR) sets forth the policies of the Department of Defense with respect to providing Government property for use by contrctors. The Federal Procurement Regulations, (FPR) while providing no policy guidance, do have suggested clauses to be used when the Government is providing Government property to the contractor (FPR §§ 1-7.303-7; 1-7.402-21; and 1-7.402-25). While not exactly analogous to our situation, ASPR does say that certain Government facilities can be used by contractors if it will result in a substantial cost saving to the Government. Since in either a fixed price or cost reimbursable contract, the cost of commercial hotel lodging would be borne by the Government, the Government could provide lodging at NETC if it would be cheaper to the Government and the Government felt that lodging the contractors would be in the Government's best interest. NETC should set a dormitory room rate and this rate should accurately reflect the value of the dormitory room. All Government costs in providing that room must be covered. The value of the room being provided to NETC contractors must be taken into consideration in the contract price. The contract price should be reduced by the value of the room.

Consultants hired under personnel authority are "special government employees" (44 C.F.R. § 3.3(d)). They can be treated as FEMA employees in a travel status who are on official business at NETC and lodging at NETC can be provided up to one year.

Let me finally add another point on this matter. Anyone staying at NETC could be injured at any time. If anyone is injured FEMA could face tort liability. People who stay at NETC should be in buildings which are not hazardous and secure.

FEDERAL EMERGENCY
MANAGEMENT AGENCY

INSTRUCTION Date March 23, 1983 Number 6200.3 OC

Lodging Expenses Incurred by Federal Emergency Management Agency Employees who Travel to the National Emergency Training Center

1. Purpose. This instruction establishes policy on lodging expenses incurred by an employee of the Federal Emergency Management Agency (FEMA) when attending a class, a meeting, or other official business at the National Emergency Training Center (NETC) in Emmitsburg, Maryland.

2. Applicability. The provisions of this instruction apply to all FEMA staff at Headquarters, Regions, and Field Establishments who are sent to NETC to attend a class, a meeting, or other official business and have to stay overnight.

3. Authorities. Federal Fire Prevention and Control Act of 1974, Section 7; 31 U.S.C. 628; Federal Civil Defense Act of 1950, as amended, Section 201(e); Disaster Assistance Act 1974, Section 201(a)(2), P.L. 93-288; Reorganization Plan No. 3 of 1978, 44 CFR 41943; 44 CFR 41421; FY 83 HUD/Independent Agencies Appropriations Act.

4. Reference. FEMA Manual 6200.1, Travel Regulations.

5. Background. Past financial policies, determined by FEMA's Appropriations and Justification of Estimates, were such that a FEMA employee required to stay overnight while attending training, a meeting, or other official business at the NETC had to be charged $5.00 for each night of lodging.

6. Policies. The following policies on NETC's charges have been established.

a. FEMA employees staying in NETC lodgings are no longer required to pay $5.00 per night lodging fee when attending courses, meetings, or other official business at the NETC. The per diem for temporary duty at the NETC will therefore be reduced from $20.00 to $15.00 per day.

b. The FEMA employee, while attending the NETC in an official capacity, will no longer be reimbursed for the lodging charge when a Travel Voucher, SF 1012, is submitted for payment.

c. FEMA employees will not be authorized lodging expenses at non-NETC facilities unless the NETC certifies that lodging is not available during the period of the FEMA employee's stay.

Dennis W. Boyd
Comptroller

Distribution: B(HqDivDirs)
G(FldDivDirs)

Federal Emergency Management Agency
Washington, D.C. 20472

SEP 1 1983

MEMORANDUM FOR: Louis O. Giuffrida
Director

FROM: George Jett
General Counsel

SUBJECT: GAO Opinion, B-210555 of June 3, 1983, on the Use of Government Vehicles for Transportation Between Home and Work

This will serve to confirm my advice to you of August 23 and August 30 regarding the subject opinion.

I have discussed this issue with the attorneys at the Department of Defense and Department of State who have reviewed the GAO opinion carefully and have been in discussions with GAO staff. In sum, the opinion holds that officials may not use Government vehicles as transportation between home and office unless authorized by law or as an adjunct to official Government business in a field operations setting. The opinion particularly states that "GAO will not question continued use of vehicles to transport heads of non-cabinet agencies between home and office...until the close of this Congress."

The "close of this Congress" (the 98th Congress) is being interpreted to mean the time when swearing in of the 99th Congress occurs in early January 1985. On this basis, I see no reason for you to alter present usage of your vehicle between home and office under the groundrules presented in our earlier exchange of correspondence. Necessarily, it is important that any costs associated particularly with your use of the auto between home and office be covered from your private funds to assure that the terms of FEMA's appropriation acts for FY 1983 and 1984 are complied with correctly.

February 8, 1983

MEMORANDUM FOR: Edna Saunders, Supervisor
Payroll Branch, OC-AC-PA

FROM: /s/ Fred J. Villella, Associate Director
for Training and Education

SUBJECT: State Tax Withholding

The required amount of California state tax for the year has been deducted from my pay. Therefore, I am requesting that the withholding of state tax be discontinued. If there are questions, please feel free to contact me.

cc: Pam Kemenyas

TO: Edna Saunders
Room 718 - Payroll
287-0617

FEDERAL EMERGENCY MANAGEMENT AGENCY **OFFICE OF INSPECTOR GENERAL**	File No. 00-0064

On April 9, 1984, Edna E. Saunders, Chief, Payroll Branch, Office of the Comptroller, was interviewed and she provided the following information:

She knows of no regulation or law wherein it says the payroll office is required to withhold state income taxes from the employee's salary. She cited a passage in the TUMS Payroll Code Manual (Feb. 16, 1983 edition) which says in part that withholding taxes for the State of California is a voluntary program on the employee's part. Saunders determined this to mean that it was not mandatory to withhold income taxes from Fred Villella's salary if he did not want it done. In February 1983, she received a memo from him telling her to stop withholding state income taxes from him. As a result of this memo, no state income taxes have been withheld from his salary since February 1983. He has never provided her with a form or any information that he permanently resides in Maryland.

She noted that on the payroll Comprehensive Record Masterlist (which is a record of salary deductions and payments made to Villella during calendar year 1984) it shows that Villella claims 44 exemptions on his Federal Income tax; that his residence address is 16825 S. Seton Avenue, Emmitsburg, Maryland; and that no State Income tax was withheld from him so far in 1984 (as of March 3, 1984). She could not find in her files the W-4 form (Employees Withholding Allowance Certificate) from Villella showing he wanted to claim 44 exemptions on his Federal Income tax. She was of the opinion this form probably shoed his home address as being 16825 S. Seton Avenue, Emmitsburg, Maryland. She did provide a W-4, dated February 23, 1981, wherein Villella indicated he want to claim 25 exemptions and his address listed on the form was 339 El Portal, Pismo Beach, California 93449.

By: Charles E. Richter, Jr., Special Agent	Date Dictated: April 9, 1984
At: Washington, D.C.	Date Transcribed: April 20, 1984

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Its contents are not to be disclosed to unauthorized persons.

Federal Emergency Management Agency
National Emergency Training Center
Emmitsburg, Maryland 21727

November 1, 1982

MEMORANDUM FOR: Fred J. Villella, Associate Director
for Training and Education

FROM: Duane Murray, Deputy Associate Director
for Training and Education

SUBJECT: Billing for overnight accommodations at
the National Emergency Training Center

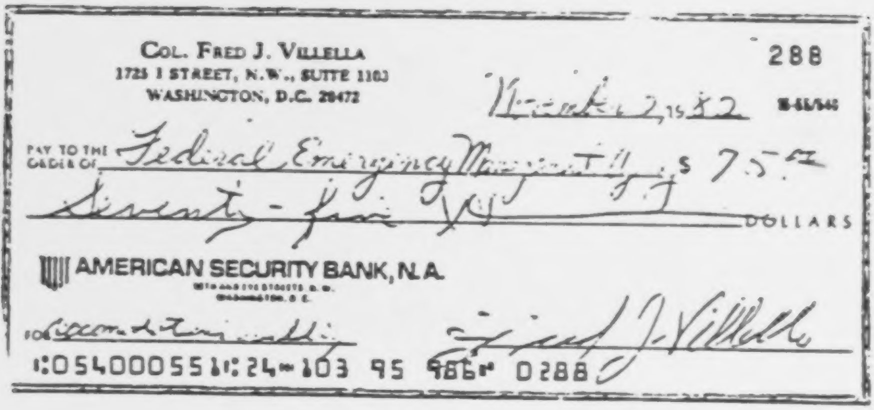
In accordance with NETC policy, and in accordance with advice from the Office of General Counsel, Federal employees who occupy overnight facilities of the NETC must reimburse the Federal Government for the use of those facilities.

Therefore this memorandum represents a billing to you for your occupancy of overnight accommodations at the NETC.

15 occupants for the night of October 29, 1982
$5.00 each for a total of $75.00

Pd 11/3 a
sent to Duane

Your check should be made payable to the Federal Emergency Management Agency and forwarded to me for transmittal to FEMA headquarters. If there is an error in this billing, please let me know.



COL. FRED J. VILLELLA
1725 I STREET, N.W., SUITE 1103
WASHINGTON, D.C. 20472

288

March 2, 19 82

PAY TO THE ORDER OF Federal Emergency Management Agency $ 75.00

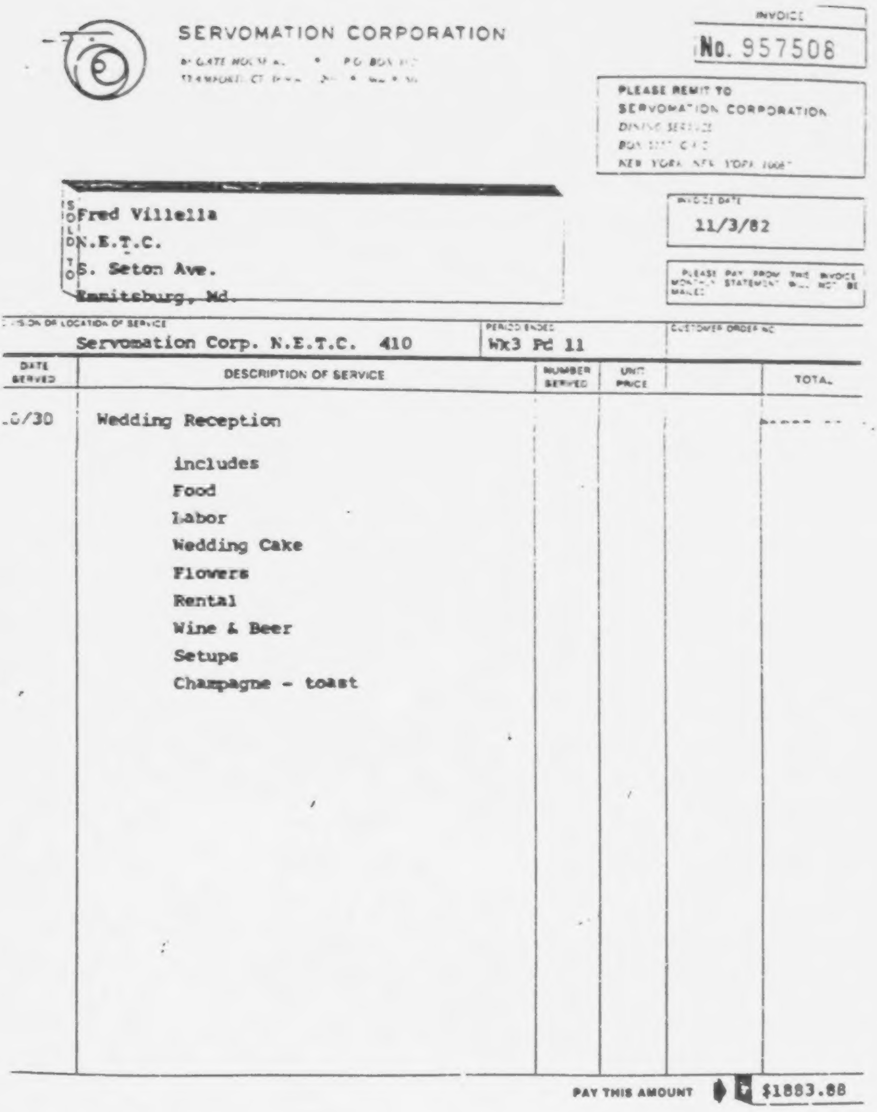
Seventy-five xx DOLLARS

AMERICAN SECURITY BANK, N.A.

FOR [illegible]

Fred J. Villella

⑆054000551⑆ 24-103 95 986⑈ 0288



SERVOMATION CORPORATION

INVOICE No. 957508

PLEASE REMIT TO
SERVOMATION CORPORATION
DINING SERVICE
BOX [illegible] G.P.O.
NEW YORK, NEW YORK [illegible]

SOLD TO
Fred Villella
N.E.T.C.
S. Seton Ave.
Emmitsburg, Md.

INVOICE DATE 11/3/82

PLEASE PAY FROM THIS INVOICE. MONTHLY STATEMENT WILL NOT BE MAILED.

DIVISION OR LOCATION OF SERVICE	PERIOD ENDED	CUSTOMER ORDER NO.
Servomation Corp. N.E.T.C. 410	Wk3 Pd 11	

DATE SERVED	DESCRIPTION OF SERVICE	NUMBER SERVED	UNIT PRICE		TOTAL
0/30	Wedding Reception				[illegible]
	includes				
	Food				
	Labor				
	Wedding Cake				
	Flowers				
	Rental				
	Wine & Beer				
	Setups				
	Champagne - toast				

PAY THIS AMOUNT $1883.88

SERVOMATION CORPORATION
[illegible] GATE HOUSE RD • P.O. BOX [illegible]
STAMFORD CT [illegible]

INVOICE
No. 957504

PLEASE REMIT TO
SERVOMATION CORPORATION
DINING SERVICE
BOX [illegible] G P O
NEW YORK NEW YORK [illegible]

SOLD TO
Fred Villella
N.E.T.C.
16825 S. Seton Ave.
Emmitsburg, Md. 21727

INVOICE DATE
11/3/82

PLEASE PAY FROM THIS INVOICE MONTHLY STATEMENT WILL NOT BE MAILED

[illegible] OF LOCATION OF SERVICE	PERIOD ENDED	CUSTOMER ORDER NO
Servomation Corp. N.E.T.C. 410	Wk 3 Pd. 11	NA

DATE SERVED	DESCRIPTION OF SERVICE	NUMBER SERVED	UNIT PRICE		TOTAL
	Lunch through the serving line for 14 people Saturday - 10/20/82	14	$3.25		$45.50

PAY THIS AMOUNT $ $45.50

SERVOMATION CORPORATION
[illegible]
[illegible]

INVOICE
No. 957505

PLEASE REMIT TO:
SERVOMATION CORPORATION
DINING SERVICE
BOX [illegible] G P O
NEW YORK NEW YORK [illegible]

SOLD TO
Fred Villella
N.E.T.C.
16825 S. Seton Ave.
Emmitsburg, Md. 21727

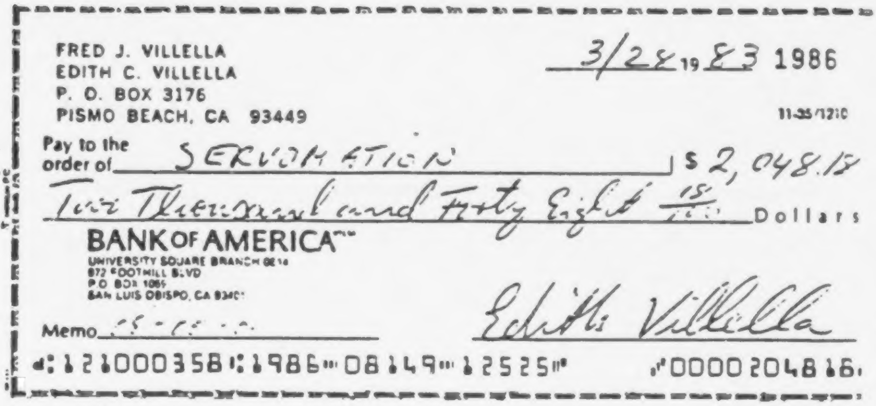
INVOICE DATE
11/3/82

PLEASE PAY FROM THIS INVOICE. MONTHLY STATEMENT WILL NOT BE MAILED.

DIVISION OR LOCATION OF SERVICE	PERIOD ENDED	CUSTOMER ORDER NO.
Servomation Corp. _ N.E.T.C. 410	Wk 3 Pd.11	

DATE SERVED	DESCRIPTION OF SERVICE	NUMBER SERVED	UNIT PRICE		TOTAL
	Sit Down Breakfast - 10/31/82	24	$4.95		$118.80

PAY THIS AMOUNT $118.80



FRED J. VILLELLA
EDITH C. VILLELLA
P. O. BOX 3176
PISMO BEACH, CA 93449

3/28 19 83 1986

11-35/1210

Pay to the order of SERVOMATION $ 2,048.18

Two Thousand and Forty Eight 18/100 Dollars

BANK OF AMERICA
UNIVERSITY SQUARE BRANCH 0814
972 FOOTHILL BLVD
P.O. BOX 1065
SAN LUIS OBISPO, CA 93401

Memo [illegible]

Edith Villella

⑆121000358⑆1986⑈08149⑈12525⑈ ⑈0000204818⑈

ISSUANCE OF SUBPOENAS

THURSDAY, OCTOBER 4, 1984

House of Representatives,
Committee on Science and Technology,
Subcommittee on Investigations and Oversight,
Washington, DC.

The subcommittee met, pursuant to call, at 10 a.m., in room 2325, Rayburn House Office Building, Hon. Albert Gore, Jr. (chairman of the subcommittee) presiding.

Mr. Gore. The subcommittee will come to order.

I note for the record that this meeting was duly noticed and that a quorum is present. Without objection, we will put the notice into the record at this point.

[The meeting notice follows:]

COMMITTEE ON SCIENCE AND TECHNOLOGY
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

October 1, 1984

SUBCOMMITTEE NOTICE

TO: All Members
Subcommittee on Investigations and Oversight

FROM: Albert Gore, Jr., Chairman

SUBJ: Subcommittee Meeting

The Subcommittee on Investigations and Oversight will meet on Thursday, October 4, 1984, at 9:30 a.m. in Room 2325 of the Rayburn House Office Building for the purpose of considering the issuance of a subpoena to the Federal Emergency Management Agency for documents in connection with the Subcommittee ongoing investigation into management practices at the Agency.

This afternoon Congressman Skeen and I met with Mr. Giuffrida, Director of FEMA. Mr. Giuffrida advised that the agency will reconsider its reply. If the documents are provided to the Subcommittee, there will be no need for the meeting. Your office will be advised.

If you have any questions, the Subcommittee staff can be reached at Ext. 63636.

Attachments

Federal Emergency Management Agency
Washington, D.C. 20472

September 27, 1984

Honorable Albert Gore, Jr.
Chairman, Subcommittee on Investigations
  and Oversight
Committee on Science and Technology
House of Representatives
Washington, D.C. 20515

Dear Mr. Gore:

This is in continuing response to your letters of September 11 and 21, 1984 to Director Louis O. Giuffrida, Federal Emergency Management Agency (FEMA), in which you request a number of documents relative to the Subcommittee's ongoing investigation of this Agency.

In accordance with our prior agreement, I am today transmitting two sets of documents which have been requested. Included are: Copies of official time cards for Mary Crilly and John Collins from January 1, 1981 to the present; and, documents concerning Director Giuffrida's use of a government-leased vehicle.

In your letter of September 21, you requested all materials concerning the Inspector General's internal audits of the Triton Corporation and IMR contracts. The Agency has carefully considered the Subcommittee's request for access to these documents. We are concerned about the integrity and the confidentiality that these issues warrant. The audits by the FEMA Inspector General currently underway of these two contracts, quite frankly, have some indication that all aspects of the contractor performance, record keeping, and billing practices were not fully proper.

At this time, we would like to ensure that the contractors be given an adequate opportunity to explain each of the matters before any delineations are made as to what steps our Agency should take. There now appears to be certain matters that could involve violations of the U.S. Code -- in which case our files would be provided to the Department of Justice.

In that context, you need to know that the investigations are ongoing, without conclusion, and are in raw form (i.e. investigator's handwritten notes, etc.). For those reasons it would be inappropriate to share this raw data with anyone outside the law enforcement community. To do so would likely jeopardize the potential ability of the government to prosecute those violations which may exist. In addition, those reviewing such files in the form in which they currently exist could draw improper conclusions.

And finally, the Agency is concerned that such a review in this premature state could lead to an embarrassing violation of privacy of both FEMA employees and citizens outside of the government, who otherwise enjoy strict confidentiality under the provisions of the Privacy Act.

As you may know, members of your staff only Tuesday met, at length, with the two investigators on loan to this Agency whose assignment is the audit of the contracts to which you have requested access. Therefore, I have some reasonable expectation that the time they spent together possibly produced some answers to the questions your Subcommittee may have relative to these issues.

I hope the Subcommittee is understanding of the Agency's position on this matter. We truly are concerned that premature access to these documents will increase greatly the potential that portions of the investigative files could become publicly known in advance of the proposed timeframe for the release of such documents.

If you should have any questions regarding this matter, please have a member of your staff call me.

Sincerely,

Ronald G Eberhardt

Ronald G. Eberhardt
Director
Congressional Relations

Enclosures

cc: Honorable Don Fuqua w/o enclosures
Honorable Larry Winn, Jr. w/o enclosures
Honorable Joe Skeen w/ enclosures

DON FUQUA (Fla.), Chairman

ROBERT A. ROE, N.J.
GEORGE E. BROWN, JR., CALIF.
JAMES H. SCHEUER, N.Y.
RICHARD L. OTTINGER, N.Y.
TOM HARKIN, IOWA
MARILYN LLOYD, TENN.
DOUG WALGREN, PA.
DAN GLICKMAN, KANS.
ALBERT GORE, JR., TENN.
ROBERT A. YOUNG, MO.
HAROLD L. VOLKMER, MO.
BILL NELSON, FLA.
STAN LUNDINE, N.Y.
RALPH M. HALL, TEX.
DAVE MC CURDY, OKLA.
MERVYN M. DYMALLY, CALIF.
PAUL SIMON, ILL.
NORMAN Y. MINETA, CALIF.
RICHARD J. DURBIN, ILL.
MICHAEL A. ANDREWS, TEX.
BUDDY MAC KAY, FLA.
TIM VALENTINE, N.C.
HARRY M. REID, NEV.
ROBERT G. TORRICELLI, N.J.
FREDERICK C. BOUCHER, VA.

U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON SCIENCE AND TECHNOLOGY
SUITE 2321 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-6371

LARRY WINN, JR., KANS.
MANUEL LUJAN, JR., N. MEX.
ROBERT S. WALKER, PA.
WILLIAM CARNEY, N.Y.
F. JAMES SENSENBRENNER, JR., WIS.
JUDD GREGG, N.H.
RAYMOND J. MC GRATH, N.Y.
JOE SKEEN, N. MEX.
CLAUDINE SCHNEIDER, R.I.
BILL LOWERY, CALIF.
ROD CHANDLER, WASH.
HERBERT H. BATEMAN, VA.
SHERWOOD L. BOEHLERT, N.Y.
ALFRED A. MC CANDLESS, CALIF.
TOM LEWIS, FLA.

HAROLD P. HANSON
Executive Director
ROBERT C. KETCHAM
General Counsel
DAVID S. JEFFERY
Minority Staff Director

October 1, 1984

Honorable Louis O. Giuffrida
Director, Federal Emergency
Management Agency
Washington, D.C. 20472

Dear Mr. Giuffrida:

This letter is in reply to Mr. Eberhardt's letter to me of September 27 concerning certain documents requested by the Investigations and Oversight Subcommittee in its ongoing investigation of alleged irregularities at FEMA.

In light of the concerns expressed in your letter, I have reviewed my original request. I strongly believe that the documents in question, primarily support contracts for NETC, are both relevant and absolutely necessary to a thorough investigation by the Subcommittee.

Staff have also consulted with the Counsel of the House of Representatives and have been advised that your letter, apart from being overbroad, asserts no legally cognizable claim to withhold documents from the Subcommittee. In light of the recent history involving House access to agency records, and the testimony at the Subcommittee's hearing in August, the Counsel has advised us that they will support all necessary and reasonable steps to obtain these documents.

While I am still hopeful that FEMA will reconsider its position and voluntarily produce the documents, I am, given the short period of time before the hearing, authorizing the staff to prepare a subpoena which will be presented to the Subcommittee.

Please be advised that if the matter is not satisfactorily resolved by today, I will proceed accordingly.

Sincerely,

Albert Gore, Jr.
Chairman
Subcommittee on Investigations
and Oversight

AG/Ntk

Mr. Gore. The purpose of the meeting is to consider the issuance of a subpoena for documents denied to the subcommittee by the Federal Emergency Management Agency.

On August 1, as my colleagues may recall, the subcommittee held a hearing to examine allegations of misuse of Government funds and personnel, contract irregularities and misconduct by FEMA personnel. Uncontradicted testimony taken under oath from the GAO, FEMA employees, and contract personnel established serious misconduct and abuses by high-level FEMA officials and potential violations of the United States Code. The hearing was shortly followed by the resignation of Fred Villella, the No. 3 person at FEMA.

Our purpose in holding the hearing was to obtain information and explanations about alleged misconduct and mismanagement by FEMA officials. I'm sure that some at FEMA found the hearing uncomfortable and would rather that the charges had not been aired publicly. But, of course, our role is not to protect FEMA from exposure of its misconduct.

Suppose that FEMA had been able to deny the subcommittee access to documents which formed the basis of the August hearing merely because they felt they might be embarrassing to the Agency. That would be clearly unacceptable. Yet, this is exactly the position that we find ourselves in today.

On September 21, I requested that FEMA provide access to FEMA's inspector general's audits of the Triton and IMR contracts, two principal support contracts for the National Emergency Training Center. These audits were conducted substantially as a result of the subcommittee's interest in the center.

Late last week, the subcommittee was informed that FEMA would not provide the subcommittee with access to any portion of these audits, even though the documents contained, by FEMA's own admission, "some indication that all aspects of the contractor performance, recordkeeping and billing practices were not fully proper." And in which, "There now appears to be certain matters that could involve violations of the U.S. Code."

FEMA's letter denying access was no more than a bold assertion of rights under the Privacy Act, which is not applicable to the Congress, and a vague reference to possible criminal action.

I met with Mr. Giuffrida in an effort to amicably resolve the problem. However, we did not hear from FEMA as of the close of business on Tuesday, so we postponed the hearing scheduled for yesterday, since it was not possible to probe the full depth of the very serious allegations made, without the documents. So we noticed the subcommittee for today's meeting.

At 6 p.m. on Tuesday, I received a letter from Mr. Eberhardt, head of FEMA's Congressional Affairs, offering an executive session verbal briefing on the two contracts. I immediately called Mr. Eberhardt and was advised that FEMA still would not release any documents to the subcommittee, and, further, that FEMA was concerned about public exposure of the matter.

Now, quite frankly, I'm surprised that we're here today, given the earlier precedents which make it clear that the Congress has a right to these documents. In fact, the counsel to the House of Representatives, who is present at this meeting, has concluded that

FEMA's claims are the weakest assertions he has ever reviewed for withholding documents from the House. I ask unamimous consent to insert his legal opinion into the record at this point.

[The legal opinion follows:]

Office of the Clerk
U.S. House of Representatives
Washington, D.C. 20515

October 4, 1984

MEMORANDUM

TO: The Honorable Albert Gore, Jr.
Chairman
Subcommittee on Investigations and Oversight
Committee on Science and Technology

FROM: Steven R. Ross SRR
General Counsel to the Clerk

Charles Tiefer CT
Assistant General Counsel to the Clerk

This memorandum addresses the legal merits of the Federal Emergency Management Agency's decision to refuse to comply with the subcommittee's document request. The agency, by letter dated September 27, 1984, put forward several justifications for this refusal.

As explicated more fully below, the Agency's arguments are without legal merit and do not justify Director Gruffrida's continuing refusal to provide the subcommittee with the documents it seeks in pursuance of a valid legislative oversight inquiry.

In declining to provide the documents, the Agency stated that it was "concerned about the integrity and the confidentiality" of these documents. The Agency also claims that these documents may relate to possible violations of federal statutes and that, therefore, "it would be inappropriate to share this raw data with anyone outside the law enforcement community."

Finally, the Agency expresses its concern that access to these documents by the Subcommittee "could lead to an embarrassing violation of privacy of both FEMA employees and citizens outside of the government, who otherwise enjoy strict confidentiality under the provisions of the Privacy Act."

While it is entirely appropriate for the Agency to express to the subcommittee its misgivings about drawing conclusions from incompatible records and its concern for avoiding public disclosure of these documents, those fears do not constitute or even approach a valid legal justification which serves to defeat this subcommittee's constitutional right to those records. The agency's stated reasons, that the documents may reflect criminal activity within the agency or by its contractors and that the documents might be embarrassing are woefully inadequate even when compared with other recent, albeit improper, claims of privilege by the executive branch.

It should be noted at the outset that the agency has not formally claimed any privilege on its own or in the name of the President to excuse its non-compliance with the subcommittees request. Rather it has simply refused to provide the documents.

Prior to discussing the Agency's claims, it is important to review the subcommittee's constitutional basis for its request.

The Congress' authority to conduct investigations in general and to oversee the executive branch in particular are derived from the Constitution and have long been recognized by the courts.

Congress has the authority to conduct an inquiry into any subject "on which legislation could be had." McGrain v. Daugherty, 273 U.S. 135, 177 (1927). This is so because a "legislative body cannot legislate wisely or effectively in the absence of information respecting the conditions which the legislation is intended to affect or change." Id. at 175.

In short, "[t]he scope of the power of inquiry . . . is as penetrating and far-reaching as the potential power to enact and appropriate under the Constitution," Barenblatt v. United States, 360 U.S. 109, 111 (1959).

Not surprisingly, the Supreme Court has recognized that subsumed within this general investigatory authority is specific responsibility concerning the activity of the federal governmental apparatus. As the Supreme Court has stated, "[t]he power of Congress to conduct investigations is inherent in the legislative process. It encompasses inquiries concerning the administration of existing laws, as well as proposed or possibility needed statutes. It includes surveys of defects in our social, economic, or political system for the purpose of enabling the Congress to remedy them." Watkins v. United States, 354 U.S. 178, 187 (1957). The Court proceeded to note that this authority "comprehends probes into departments of the Federal Government to expose corruption, inefficiency, or waste." Id.

Clearly, in seeking the documents at issue here, the Subcommittee was engaged in the legislative task of "informing" itself and the House on a matter within the Congress' jurisdiction.

Pursuant to House Rule X, the Committee on Science and Technology has jurisdiction over various non-military scientific research and development functions of the federal government. The Committee is also specifically provided with "the special oversight function . . . with respect to all non-military research and development." H. R. Rule X(1)(r), Rules of the House of Representatives, § 687, reprinted in Constitution, Jefferson's Manual and Rules of the House of Representatives, H. R. Doc. No. 271, 97th Cong., 2d Sess. (1983)(Rules of the House of 98th Congress).

The Committee's Subcommittee on Investigation and Oversight is empowered to conduct a continuing review and study of the "application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of the committee" and is further authorized to study, on a continuing basis "the organization and operation of the Federal and private agencies and entities having responsibilities in or for the administration and execution" of such laws." Rule 25(f) of the Rules of the Committee on Science and Technology, (adopted February 2, 1983), reprinted in Rules Adopted By the Committee of the House of Representatives for the 98th Congress. (Rules Committee Print).

This subcommittee's jurisdictional basis for conducting an inquiry with respect to these matters is beyond dispute and the agency has not questioned the jurisdictional appropriateness of the subcommittee's investigation.

Turning to the legal sufficiency of the Agency's claim it must be noted at the outset that the Subcommittee has not been provided with any legal authority supporting the Agency's contention. This is not surprising for no valid legal authority exists for the sweeping claim of non-presidential executive privilege which is the underpinning of the Agency's declination.

Throughout the Agency's letter, there is the consistent theme that disclosure to the Congress is the legal equivalent of improper disclosure. This notion has been specifically rejected by the Courts. Exxon Corporation v. FTC, 589 F.2d 582, 589 (D.C. Cir. 1978).

Similarly, the agency's citation to the Privacy Act is inappropriate. Statutes which govern the public's access to executive agency information do not purport to govern or limit the Congress' plenary authority to conduct oversight inquiries. See 5 U.S.C. 552(c)("Freedom of Information Act")("This section is not authority to withhold information from Congress"); and, 5 U.S.C. 552a(b)(9) ("Privacy Act")(Specifically exempting from the statutory protections disclosures "to either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;")

Thus when the Agency raises, as it does in its September 27, 1984, letter, the privacy rights protected by the Privacy Act it ignores the plain language of that statute.

The Agency also states that one reason for not providing the subcommittee with access to the documents is that the files could, at some point, be provided to the Department of Justice. This constitutes a mere pale shadow of the "law enforcement sensitive" claim advanced with regard to papers withheld by the Administrator of the Environmental Protection Agency. *See Contempt of Congress*, Report of the Committee on Public Works and Transportation (Contempt Proceedings against Anne M. Gorsuch), 97th Cong., 2d Sess., H. Rep. No. 97-968; *Investigation of the Environmental Protection Agency*, Report on the President's Claim of Executive Privilege over EPA Documents, Abuses in the Superfund Program, and Other Matters by the Subcommittee on Oversight and Investigations of the Committee on Energy and Commerce; 98th Cong., 2d Sess., Comm. Print 98-AA.

If all records which could one day be transmitted to the Department of Justice were beyond the scope of the congressional investigative authority, then the field of congressional oversight would be narrow indeed. Such a limited interpretation of this authority would render many Supreme Court statements in this area meaningless and would also, in complete abrogation of our constitutional framework of checks and balances, permit *exclusive* jurisdiction to investigate executive wrongdoing to the executive branch.

Clearly, the Court, in providing that Congress could conduct "probes into departments of the Federal Government to expose corruption . . .," Watkins, supra, did not anticipate that a department could effectively foreclose such an investigation merely by observing that it might refer the information to another executive Department.

In fact, the Supreme Court has explicitly endorsed the authority of the Congress to probe even the Department of Justice with rogard to specific enforcement and prosecutorial decisions relating to the application of our criminal statutes. Thus in McGrain v. Daugherty. 273 U.S. 235 (1926), the Court observed that

> The subject to be investigated was the administration of the Department of Justice--whether its functions were being properly discharged or were being neglected or misdirected, and particularly whether the Attorney General and his assistants were performing or neglecting their duties in respect of the institution and prosecution of proceedings . . . the subject . . . would be materially aided by the information [sought] . . . the functions of the Department of Justice, the powers and duties of the Attorney General and the duties of his assistants, are all subject to regulation by congressional legislation, and . . . the department is maintained and its activities are carried on under such appropriations as in the judgment of Congress are needed from year-to-year.

273 U.S. at 177-78.

It has even been recognized that it is entirely proper for a Congressional investigation to proceed concerning a subject matter on which there is a pending criminal trial. Hutcheson v. United States, 369 U.S. 599 (1962). See also United States v. Romano, 583 F.2d 1 (1st Cir. 1978); Beck v. Washington, 369 U.S. 541 (1962).

In light of these and other similar precedents, it si inconceivable that the mere possibility of a referral to the Department of Justice would defeat the Congress' plenary authority to oversee the execution and administration of our nations laws.

For these reasons, the notion advanced in the Agency's September 27, 1984, letter, that it need not comply with a valid congressional request for information, must be rejected as unsupported by any applicable precedent.

Mr. **Gore**. Some have suggested that FEMA has delayed access to these documents because it believes it can frustrate the subcommittee's efforts to uncover wrongdoing because of the imminent House adjournment. Let me be very clear on this point.

The subcommittee intends to obtain the documents; we will hold a hearing later this month; the House does have procedures to enforce its subpoenas, even after adjournment sine die; the Speaker is authorized to issue contempt of Congress citations after a vote by a committee.

These are extremely serious allegations, and we intend to pursue them vigorously.

Do I hear a motion?

Mr. **Reid**. Mr. Chairman, I would, on behalf of this committee and by the authority of the House of Representatives of the Congress of the United States, move that there be a subpoena issued to Louis Giuffrida, and/or Robert Goffus, and/or Robert Morris, and/or the Custodian of Records to produce all documents pertaining to the inspector general's internal audits and investigations of the Triton Corp. and IMR Corp.

I would further move that, if the documents are provided to the subcommittee on or before 5 p.m., October 4, 1984, the personal appearance would not be required.

Mr. **Gore**. The previous question will be considered as ordered. All in favor, vote "aye."

[Chorus of ayes.]

Mr. **Gore**. All opposed.

[No response.]

Mr. **Gore**. The vote is unanimous. The subpoena is authorized.

Mr. **Volkmer**. Mr. Chairman——

Mr. **Gore**. We'll take a record vote.

Mr. **Volkmer**. Yes; I would like to have a vote with all the members present.

Mr. **Gore**. Mr. Scheuer.

Mr. **Scheuer**. Votes aye.

Mr. **Gore**. Mr. Reid.

Mr. **Reid**. Aye.

Mr. **Gore**. Mr. Durbin.

Mr. **Durbin**. Aye.

Mr. **Gore**. Mr. Volkmer.

Mr. **Volkmer**. Aye.

Mr. **Gore**. Mr. Gore, aye.

Ms. **Eastman**. Mr. Chairman, I have a proxy for you from Mr. Roe.

Mr. **Gore**. Mr. Roe will vote aye.

No more proxies? Mr. Roe votes aye by proxy.

The subpoena will be issued and the hearing will be set for later this month, either October 19 or October 24. We will have a later notice about the exact date.

The records are due—let me just be clear on this fact—according to the subpoena, the records are due by 11 a.m. tomorrow. Personal appearance is not required if the documents are provided to this subcommittee by 5 p.m. today. If they are not provided, then we will pursue contempt of Congress proceedings against Mr. Giuffrida and/or the other persons noticed in the subpoena.

This hearing is recessed until 11 a.m. tomorrow morning. Thank you all for coming.

[Whereupon, at 10:05 a.m., the subcommittee was recessed, to reconvene at 11 a.m., Friday, October 5, 1984.]

ISSUANCE OF SUBPOENAS

FRIDAY, OCTOBER 5, 1984

House of Representatives,
Committee on Science and Technology,
Subcommittee on Investigations and Oversight,
Washington, DC.

The subcommittee met, pursuant to other business, at 11:05 a.m., in room 2318, Rayburn House Office Building, Hon. Albert Gore, Jr. (chairman of the subcommittee) presiding.

Mr. **Gore**. The subcommittee will come to order.

We recessed yesterday's meeting until 11 o'clock this morning in order to receive the documents subpoenaed from the Federal Emergency Management Agency. And this morning, we received what we believe to be all of the documents that were subpoenaed.

The second in command in the agency, Robert Morris, technically was due to appear here personally with the documents, but we advised him that his personal appearance would not be necessary if the documents were, in fact, delivered.

Off the record.

[Discussion off the record.]

Mr. **Gore**. But the documents were delivered this morning. The staff is beginning the process of reviewing the documents so as to make certain that all of them are there.

We are instituting special procedures to ensure that the documents are handled carefully; they will be treated as if they were received in executive session; they will be kept under lock and key; and we will be very diligent in protecting against any irresponsible handling of the materials that have been received.

We are beginning the process of analysis and, if the analysis confirms that all of the documents have indeed been delivered, then we will, of course, make the judgment that the subpoena has been satisfied.

I want to express my thanks to those at the Agency for complying with the subpoena, assuming that it has, in fact, been complied with.

I would like to recognize the ranking minority member if he has any comments.

Mr. **Skeen**. Thank you, Mr. Chairman.

I, too, have this request to make, that the letter of transmittal from the department be entered as a part of the record.

Mr. **Gore**. Without objection, we will do that.

[The information follows:]

Federal Emergency Management Agency
Washington, D.C. 20472

October 5, 1984

Honorable Albert Gore, Jr.
Chairman, Subcommittee on Investigations
and Oversight
Committee on Science and Technology
House of Representatives
Washington, D. C. 20515

Dear Mr. Gore:

This letter serves as transmittal of:

> "all documents pertaining to the Inspector General's internal and external audits and investigations of the Triton Corporation and the IMR Corporation,"

as specified in the Subpoena Document issued by the Investigations and Oversight Subcommittee yesterday.

The Federal Emergency Management Agency continues to register its most strong objection to the release of these documents even as they are delivered to the Subcommittee.

The Constitutional right of this Subcommittee to ask for and receive these documents is unquestioned. That right notwithstanding, the Members should nonetheless be seriously concerned about the protection of persons and institutions and assure that due process, as guaranteed under the Constitution, is adhered to.

The Agency implores the Subcommittee to properly hold and protect these documents from premature release to the public and the press thus insuring that the investigation by my office can continue to completion without obstruction.

Sincerely,

Robert C. Goffus

Robert C. Goffus
Inspector General

98 · I&O
HEARING 32
DOCUMENT NO. 114

Enclosures

cc: Honorable Don Fuqua (Without Enclosures)
Honorable Larry Winn (Without Enclosures)
Honorable Joe Skeen (With Enclosures)

Delivered this Fifth Day of October, Nineteen Hundred Eighty-Four to the House of Representatives, 2318 Rayburn House Office Building, at Washington, D. C.

Delivered by Ms. Michele Carley, Custodian of Documents,
Mr. John T. Thiede, Deputy Inspector General
Federal Emergency Management Agency

Accepted by: Robert C. Ketcham. General Counsel

Date and Time: 9:41 · 5 Oct 84

Mr. **Gore**. I think it is most appropriate.

Let me reiterate that we intend to have a hearing either October 19 or October 24, and we will be back in touch with the appropriate officials at FEMA in scheduling that hearing.

For now, I believe that takes care of our business today, and the meeting is adjourned.

[Whereupon, at 11:08, the subcommittee was adjourned.]

ISSUANCE OF SUBPOENAS

TUESDAY, OCTOBER 9, 1984

House of Representatives,
Committee on Science and Technology,
Subcommittee on Investigations and Oversight,
Washington, DC.

The subcommittee met, pursuant to call, at 1:15 p.m., in room 2318, Rayburn House Office Building, Hon. Albert Gore, Jr. (chairman of the subcommittee) presiding.

Mr. **Gore**. The subcommittee will come to order.

At this point I would like to note for the record that a majority of the subcommittee is present, and I would like to ask if there is a motion that the subcommittee meet to consider issuance of subpoenas.

Mr. **Reid**. Mr. Chairman, I move that the subcommittee meet to consider issuance of subpoenas pursuant to the provisions of committee rule 18(b).

Mr. **Gore**. The previous question will be considered as ordered. Members desiring to vote aye will signify by saying "aye."

Those opposed by like sign.

Mr. **Reid**. Mr. Chairman, I have another motion, if it would be in order.

Mr. **Gore**. Perhaps we should ask for a record vote or have a record vote on that motion, if the clerk will call the roll.

Ms. **Eastman**. Mr. Reid.

Mr. **Reid**. Aye.

Ms. **Eastman**. Mr. Volkmer.

[No response.]

Ms. **Eastman**. Mr. Roe.

Mr. **Roe**. Aye.

Ms. **Eastman**. Mr. Durbin.

Mr. **Durbin**. Aye.

Ms. **Eastman**. Mr. Scheuer.

Mr. **Scheuer**. Aye.

Ms. **Eastman**. Mr. Skeen.

[No response.]

Ms. **Eastman**. Mr. McCandless.

[No response.]

Ms. **Eastman**. Mrs. Schneider.

[No response.]

Ms. **Eastman**. Chairman Gore.

Mr. **Gore**. Aye.

Ms. **Eastman**. Mr. Chairman, I have a proxy for you from Mr. Volkmer.

Mr. GORE. Mr. Volkmer votes aye by proxy.

Ms. EASTMAN. Mr. Chairman, the vote is 6 to——

Mr. GORE. Hold on one moment. Excuse me. Mr. Volkmer will probably want to vote aye in person.

Mr. VOLKMER. Aye.

Ms. EASTMAN. Mr. Chairman, the vote is six aye, no nay.

Mr. GORE. Thank you.

The motion carries. Mr. Reid.

Mr. REID. Mr. Chairman, I move that the subcommittee authorize the chairman to authorize and issue subpoenas to appropriate governmental officials and other persons whose presence is necessary at the subcommittee hearing on October 24, 1984, on the subject of management practices at the Federal Emergency Management Agency.

Mr. GORE. You have head the motion. Is there any discussion?

If not, the previous question will be considered as ordered.

Well, first of all, let me just say briefly that we issued a subpoena last week. The documents were delivered to the subcommittee on October 5, but FEMA failed to appear to attest to the fact that all of the documents were provided or to answer any questions that the subcommittee may have had.

Nevertheless, the subcommittee has had a chance to review those documents over the weekend, and as a consequence of our review, we have prepared a list of people whose attendance is essential at our next hearing, which has been noticed for Wednesday, October 24.

Now let me make a few brief comments about the list. First, with respect to Mr. Giuffrida, given FEMA's failure to appear at the October 5 meeting and Mr. Giuffrida's failure to appear at the subcommittee's hearing on August 1, the subcommittee is issuing the subpoena to ensure that Mr. Giuffrida will appear at the October 24 hearing.

Second, we are requesting a large number of subpoenas. Some of these subpoenas are intended to protect the individual involved. As was the case with our previous hearing, potential witnesses and whistle-blowers have requested that subpoenas be issued to protect them against the possibility of reprisal. That is not true of all the people on the list. It is true of some of them.

Additionally, several of the witnesses subpoenaed will need to be present to respond to questions subcommittee members may have, and we can only assure their availability through subpoena.

I would also note that the subpoenas issued by the subcommittee on August 1 are still in effect.

If there is no further discussion, the previous question will be considered as ordered. Those in favor will say "aye."

Those opposed, "no."

If we could have a record vote, I think it would be appropriate.

Ms. EASTMAN. Mr. Reid.

Mr. REID. Aye.

Ms. EASTMAN. Mr. Skeen.

[No response.]

Ms. EASTMAN. Mr. Volkmer.

Mr. VOLKMER. Aye.

Ms. EASTMAN. Mr. McCandless.

[No response.]

Ms. **Eastman**. Mr. Roe.

Mr. **Roe**. Aye.

Ms. **Eastman**. Mrs. Schneider.

[No response.]

Ms. **Eastman**. Mr. Durbin.

Mr. **Durbin**. Aye.

Ms. **Eastman**. Mr. Scheuer.

Mr. **Scheuer**. Aye.

Ms. **Eastman**. Chairman Gore.

Mr. **Gore**. Aye.

Ms. **Eastman**. Mr. Chairman, the vote is 6 to 0.

Mr. **Gore**. Thank you.

The motion carries.

I want to thank my colleagues for their attendance here. It means a lot in these busy times. With that, the subcommittee will stand adjourned.

[Whereupon, at 1:20 p.m., the subcommittee adjourned.]

OVERSIGHT—FEDERAL EMERGENCY MANAGEMENT AGENCY

WEDNESDAY, OCTOBER 24, 1984

House of Representatives,
Committee on Science and Technology,
Subcommittee on Investigations and Oversight,
Washington, DC.

The subcommittee met, pursuant to call, at 1 p.m., in room 2318, Rayburn House Office Building, Hon. Albert Gore, Jr. (chairman of the subcommittee) presiding.

Mr. Gore. The Subcommittee on Investigations and Oversight will come to order.

We had a meeting scheduled for this morning which was continued until this afternoon at 1 p.m. The hearing which was scheduled to take place this morning has been postponed, or rescheduled for December 12, 1984, at 9:30 a.m. The Chair wishes to advise all of the witnesses who have been subpoenaed for this morning that the subpoenas issued on October 9 are still in effect and are continued until that time, until December 12, when we will have the hearing.

Now I want to announce the results of a poll of the subcommittee members on the disposition of the documents received by the subcommittee pursuant to the subpoena issued by the subcommittee on October 4, and to implement the decision of the subcommittee members. The members of the subcommittee were polled on the following question:

> As you know, on October 4, 1984, the Subcommittee on Investigations and Oversight issued a subpoena to the Federal Emergency Management Agency for all documents pertaining to the Inspector General's internal investigations and audits of the Triton Corporation and the IMR Corporation. The documents were provided to the subcommittee by FEMA on October 5, 1984, and have been treated as though in executive session. Rather than conducting a meeting at this time, the subcommittee is taking a telephone poll of the subcommittee members to authorize Chairman Gore to release the documents on Wednesday, October 24, 1984. How do you vote on the question?

Messrs. Gore, Reid, Roe, Scheuer, Durbin, and Volkmer all voted aye. Messrs. Skeen and McCandless, and Mrs. Schneider voted nay.

Now, without objection, I want to place into the record the record of vote subject to consent of members when the subcommittee reconvenes. This will be included in the record at that time. Each member was contacted personally. Each member voted personally.

[The material referred to follows:]

COMMITTEE ON SCIENCE AND TECHNOLOGY
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

October 23, 1984

MEMORANDUM

TO: Albert Gore, Jr., Chairman
Subcommittee on Investigations and Oversight

FROM: Elizabeth A. Eastman
James E. Jensen

SUBJ: Telephone Poll of Subcommittee Members, October 22-23, 1984

At your request, we conducted a telephone poll of the Subcommittee Members, asking the following:

> "As you know, on October 4, 1984, the Subcommittee on Investigations and Oversight issued a subpoena to the Federal Emergency Management Agency for all documents pertaining to the Inspector General's internal investigations and audits of the Triton Corporation and the IMR Corporation. The documents were provided to the Subcommittee by FEMA on October 5, 1984 and have been treated as though in Executive Session.
>
> "Rather than conducting a meeting at this time, the Subcommittee is taking a telephone poll of the Subcommittee Members to authorize Chairman Gore to release the documents on Wednesday, October 24, 1984.
>
> "How do you vote on the question?"

The results of the poll are 6 "Yes" and 3 "No", as follows:

Yes	No
Mr. Gore	Mr. Skeen
Mr. Reid	Mr. McCandless
Mr. Volkmer	Mrs. Schneider
Mr. Roe	
Mr. Durbin	
Mr. Scheuer	

Letters have been sent to the Members confirming their votes; copies are attached.

DON FUQUA (Fla.), Chairman

ROBERT A. ROE, N.J.
GEORGE E. BROWN, JR., CALIF.
JAMES H. SCHEUER, N.Y.
RICHARD L. OTTINGER, N.Y.
TOM HARKIN, IOWA
MARILYN LLOYD, TENN.
DOUG WALGREN, PA.
DAN GLICKMAN, KANS.
ALBERT GORE, JR., TENN.
ROBERT A. YOUNG, MO.
HAROLD L. VOLKMER, MO.
BILL NELSON, FLA.
STAN LUNDINE, N.Y.
RALPH M. HALL, TEX.
DAVE MC CURDY, OKLA.
MERVYN M. DYMALLY, CALIF.
PAUL SIMON, ILL.
NORMAN Y. MINETA, CALIF.
RICHARD J. DURBIN, ILL.
MICHAEL A. ANDREWS, TEX.
BUDDY MAC KAY, FLA.
TIM VALENTINE, N.C.
HARRY M. REID, NEV.
ROBERT G. TORRICELLI, N.J.
FREDERICK C. BOUCHER, VA.

U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON SCIENCE AND TECHNOLOGY
SUITE 2321 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-6371

LARRY WINN, JR., KANS.
MANUEL LUJAN, JR., N. MEX.
ROBERT S. WALKER, PA.
WILLIAM CARNEY, N.Y.
F. JAMES SENSENBRENNER, JR., WIS.
JUDD GREGG, N.H.
RAYMOND J. MC GRATH, N.Y.
JOE SKEEN, N. MEX.
CLAUDINE SCHNEIDER, R.I.
BILL LOWERY, CALIF.
ROD CHANDLER, WASH.
HERBERT H. BATEMAN, VA.
SHERWOOD L. BOEHLERT, N.Y.
ALFRED A. MC CANDLESS, CALIF.
TOM LEWIS, FLA.

HAROLD P. HANSON
Executive Director
ROBERT C. KETCHAM
General Counsel
DAVID S. JEFFERY
Minority Staff Director

October 23, 1984

Honorable Joe Skeen
1007 Longworth House Office Building
Washington, D. C. 20515

Dear Joe:

This letter is to confirm your vote on the telephone poll of Subcommittee Members concerning authorization to release certain documents received from the Federal Emergency Management Agency.

In a telephone conversation at 11:45 a.m., on October 23, 1984, Subcommittee staff member Elizabeth Eastman read the following question to Carlota Klimas, Receptionist in your office, for presentation to you:

> "As you know, on October 4, 1984, the Subcommittee on Investigations and Oversight issued a subpoena to the Federal Emergency Management Agency for all documents pertaining to the Inspector General's internal investigations and audits of the Triton Corporation and the IMR Corporation. The documents were provided to the Subcommittee by FEMA on October 5, 1984 and have been treated as though in Executive Session.
>
> "Rather than conducting a meeting at this time, the Subcommittee is taking a telephone poll of the Subcommittee Members to authorize Chairman Gore to release the documents on Wednesday, October 24, 1984.
>
> "How do you vote on the question?"

Additionally, at 11:35 a.m., Subcommittee Staff Director Robert B. Nicholas provided the text of the question to Robert Lamina, Minority Technical Consultant. At 5:26 p.m., on October 23, 1984, Mr. Lamina advised Mrs. Eastman that you vote "no" on the question. I would appreciate your signature below indicating confirmation of your vote.

Sincerely,

al

Albert Gore, Jr., Chairman
Subcommittee on
Investigations and Oversight

I vote "no" on the above question: ______________________________
Joe Skeen, M.C. Date

DON FUQUA (Fla.), Chairman

ROBERT A. ROE, N.J.
GEORGE E. BROWN, JR., CALIF.
JAMES H. SCHEUER, N.Y.
RICHARD L. OTTINGER, N.Y.
TOM HARKIN, IOWA
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HARRY M. REID, NEV.
ROBERT G. TORRICELLI, N.J.
FREDERICK C. BOUCHER, VA.

U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON SCIENCE AND TECHNOLOGY
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WASHINGTON, D.C. 20515
(202) 225-6371

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TOM LEWIS, FLA.

HAROLD P. HANSON
Executive Director
ROBERT C. KETCHAM
General Counsel
DAVID S. JEFFERY
Minority Staff Director

October 23, 1984

Honorable Claudine Schneider
1431 Longworth Building
Washington, D, C. 20515

Dear Claudine:

This letter is to confirm your vote on the telephone poll of Subcommittee Members concerning authorization to release certain documents received from the Federal Emergency Management Agency.

In a telephone conversation at 11:28 a.m., on October 23, 1984 Subcommittee staff member Elizabeth Eastman read the following question to Mark Feuer, Legislative Assistant in your office, for presentation to you:

> "As you know, on October 4, 1984, the Subcommittee on Investigations and Oversight issued a subpoena to the Federal Emergency Management Agency for all documents pertaining to the Inspector General's internal investigations and audits of the Triton Corporation and the IMR Corporation. The documents were provided to the Subcommittee by FEMA on October 5, 1984 and have been treated as though in Executive Session.
>
> "Rather than conducting a meeting at this time, the Subcommittee is taking a telephone poll of the Subcommittee Members to authorize Chairman Gore to release the documents on Wednesday, October 24, 1984.
>
> "How do you vote on the question?"

At 12:12 p.m., on October 23, 1984, Mr. Feuer advised Mrs. Eastman that you vote "no" on the question. I would appreciate your signature below indicating confirmation of your vote.

Sincerely,

Al

Albert Gore, Jr., Chairman
Subcommittee on
Investigations and Oversight

I vote "no" to the above question: ______________________________
Claudine Schneider, M.C. Date

DON FUQUA (Fla), Chairman

ROBERT A ROE N J
GEORGE E BROWN JR CALIF
JAMES H SCHEUER N Y
RICHARD L OTTINGER N Y
TOM HARKIN IOWA
MARILYN LLOYD TENN
DOUG WALGREN PA
DAN GLICKMAN KANS
ALBERT GORE JR TENN
ROBERT A YOUNG MO
HAROLD L VOLKMER MO
BILL NELSON FLA
STAN LUNDINE N Y
RALPH M HALL TEX
DAVE MC CURDY OKLA
MERVYN M DYMALLY CALIF
PAUL SIMON ILL
NORMAN Y MINETA CALIF
RICHARD J DURBIN ILL
MICHAEL A ANDREWS TEX
BUDDY MAC KAY FLA
TIM VALENTINE N C
HARRY M REID NEV
ROBERT G TORRICELLI N J
FREDERICK C BOUCHER VA

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JOE SKEEN N MEX
CLAUDINE SCHNEIDER R I
BILL LOWERY CALIF
ROD CHANDLER WASH
HERBERT H BATEMAN VA
SHERWOOD L BOEHLERT N Y
ALFRED A MC CANDLESS CALIF
TOM LEWIS FLA

HAROLD P HANSON
Executive Director
ROBERT C KETCHAM
General Counsel
DAVID S JEFFERY
Minority Staff Director

October 23, 1984

Honorable Richard Durbin
417 Cannon House Office Building
Washington, D. C. 20515

Dear Dick:

This letter is to confirm your vote on the telephone poll of Subcommittee Members concerning authorization to release certain documents received from the Federal Emergency Management Agency.

In a telephone conversation at 1:05 p.m. on October 23, 1984 Subcommittee staff members Elizabeth A. Eastman and James E. Jensen read the following question to you, which you answered in the affirmative:

> "As you know, on October 4, 1984, the Subcommittee on Investigations and Oversight issued a subpoena to the Federal Emergency Management Agency for all documents pertaining to the Inspector General's internal investigations and audits of the Triton Corporation and the IMR Corporation. The documents were provided to the Subcommittee by FEMA on October 5, 1984 and have been treated as though in Executive Session.
>
> "Rather than conducting a meeting at this time, the Subcommittee is taking a telephone poll of the Subcommittee Members to authorize Chairman Gore to release the documents on Wednesday, October 24, 1984.
>
> "How do you vote on the question?"

I would appreciate your signature below indicating confirmation of your vote.

Sincerely,

Al

Albert Gore, Jr.
Chairman
Subcommittee on
Investigations and Oversight

I vote "yes" to the above question: ______________________
Richard Durbin, M.C. Date

DON FUQUA (Fla.) Chairman

ROBERT A ROE N J
GEORGE E BROWN JR CALIF
JAMES H SCHEUER N Y
RICHARD L OTTINGER N Y
TOM HARKIN IOWA
MARILYN LLOYD TENN
DOUG WALGREN PA
DAN GLICKMAN KANS
ALBERT GORE JR TENN
ROBERT A YOUNG MO
HAROLD L VOLKMER MO
BILL NELSON FLA
STAN LUNDINE N Y
RALPH M HALL TEX
DAVE MC CURDY OKLA
MERVYN M DYMALLY CALIF
PAUL SIMON ILL
NORMAN Y MINETA CALIF
RICHARD J DURBIN ILL
MICHAEL A ANDREWS TEX
BUDDY MAC KAY FLA
TIM VALENTINE N C
HARRY M REID NEV
ROBERT G TORRICELLI N J
FREDERICK C BOUCHER VA

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JUDD GREGG N H
RAYMOND J MC GRATH N Y
JOE SKEEN N MEX
CLAUDINE SCHNEIDER R I
BILL LOWERY CALIF
ROD CHANDLER WASH
HERBERT H BATEMAN VA
SHERWOOD L BOEHLERT N Y
ALFRED A MC CANDLESS CALIF
TOM LEWIS FLA

HAROLD P HANSON
Executive Director
ROBERT C KETCHAM
General Counsel
DAVID S JEFFERY
Minority Staff Director

October 23, 1984

Honorable James Scheuer
2402 Rayburn House Office Building
Washington, D. C. 20515

Dear Jim:

This letter is to confirm your vote on the telephone poll of Subcommittee Members concerning authorization to release certain documents received from the Federal Emergency Management Agency.

In a telephone conversation at 6:30 p.m. on October 23, 1984 Subcommittee staff members Elizabeth A. Eastman and Robert Nicholas read the following question to you, which you answered in the affirmative:

> "As you know, on October 4, 1984, the Subcommittee on Investigations and Oversight issued a subpoena to the Federal Emergency Management Agency for all documents pertaining to the Inspector General's internal investigations and audits of the Triton Corporation and the IMR Corporation. The documents were provided to the Subcommittee by FEMA on October 5, 1984 and have been treated as though in Executive Session.
>
> "Rather than conducting a meeting at this time, the Subcommittee is taking a telephone poll of the Subcommittee Members to authorize Chairman Gore to release the documents on Wednesday, October 24, 1984.
>
> "How do you vote on the question?"

I would appreciate your signature below indicating confirmation of your vote.

Sincerely,

Al

Albert Gore, Jr.
Chairman
Subcommittee on
Investigations and Oversight

I vote "yes" to the above question: ______________________ ______________
James Scheuer, M.C. Date

DON FUQUA (Fla.), Chairman

ROBERT A. ROE, N.J.
GEORGE E. BROWN, JR., CALIF.
JAMES H. SCHEUER, N.Y.
RICHARD L. OTTINGER, N.Y.
TOM HARKIN, IOWA
MARILYN LLOYD, TENN.
DOUG WALGREN, PA.
DAN GLICKMAN, KANS.
ALBERT GORE, JR., TENN.
ROBERT A. YOUNG, MO.
HAROLD L. VOLKMER, MO.
BILL NELSON, FLA.
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MERVYN M. DYMALLY, CALIF.
PAUL SIMON, ILL.
NORMAN Y. MINETA, CALIF.
RICHARD J. DURBIN, ILL.
MICHAEL A. ANDREWS, TEX.
BUDDY MAC KAY, FLA.
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JOE SKEEN, N. MEX.
CLAUDINE SCHNEIDER, R.I.
BILL LOWERY, CALIF.
ROD CHANDLER, WASH.
HERBERT H. BATEMAN, VA.
SHERWOOD L. BOEHLERT, N.Y.
ALFRED A. MC CANDLESS, CALIF.
TOM LEWIS, FLA.

HAROLD P. HANSON
Executive Director
ROBERT C. KETCHAM
General Counsel
DAVID S. JEFFERY
Minority Staff Director

October 23, 1984

Honorable Harold Volkmer
1230 Longworth Building
Washington, D, C. 20515

Dear Harold:

This letter is to confirm your vote on the telephone poll of Subcommittee Members concerning authorization to release certain documents received from the Federal Emergency Management Agency.

In a telephone conversation at approximately 4:30 p.m. on October 22, 1984 Subcommittee staff member Elizabeth Eastman read the following question to Jim Sperling, your Administrative Assistant, for presentation to you:

> "As you know, on October 4, 1984, the Subcommittee on Investigations and Oversight issued a subpoena to the Federal Emergency Management Agency for all documents pertaining to the Inspector General's internal investigations and audits of the Triton Corporation and the IMR Corporation. The documents were provided to the Subcommittee by FEMA on October 5, 1984 and have been treated as though in Executive Session.
>
> "Rather than conducting a meeting at this time, the Subcommittee is taking a telephone poll of the Subcommittee Members to authorize Chairman Gore to release the documents on Wednesday, October 24, 1984.
>
> "How do you vote on the question?"

At 11:25 a.m., on October 23, 1984, Mr. Sperling advised Mrs. Eastman that you vote "yes" on the question. I would appreciate your signature below indicating confirmation of your vote.

Sincerely,

al

Albert Gore, Jr., Chairman
Subcommittee on
Investigations and Oversight

I vote "yes" to the above question: ______________________________
Harold Volkmer, M.C. Date

DON FUQUA (Fla.), Chairman

ROBERT A. ROE, N.J.
GEORGE E. BROWN, JR., CALIF.
JAMES H. SCHEUER, N.Y.
RICHARD L. OTTINGER, N.Y.
TOM HARKIN, IOWA
MARILYN LLOYD, TENN.
DOUG WALGREN, PA.
DAN GLICKMAN, KANS.
ALBERT GORE, JR., TENN.
ROBERT A. YOUNG, MO.
HAROLD L. VOLKMER, MO.
BILL NELSON, FLA.
STAN LUNDINE, N.Y.
RALPH M. HALL, TEX.
DAVE MC CURDY, OKLA.
MERVYN M. DYMALLY, CALIF.
PAUL SIMON, ILL.
NORMAN Y. MINETA, CALIF.
RICHARD J. DURBIN, ILL.
MICHAEL A. ANDREWS, TEX.
BUDDY MAC KAY, FLA.
TIM VALENTINE, N.C.
HARRY M. REID, NEV.
ROBERT G. TORRICELLI, N.J.
FREDERICK C. BOUCHER, VA.

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TOM LEWIS, FLA.

HAROLD P. HANSON
Executive Director
ROBERT C. KETCHAM
General Counsel
DAVID S. JEFFERY
Minority Staff Director

October 23, 1984

Honorable Robert Roe
2243 Rayburn House Office Building
Washington, D. C. 20515

Dear Bob:

This letter is to confirm your vote on the telephone poll of Subcommittee Members concerning authorization to release certain documents received from the Federal Emergency Management Agency.

In a telephone conversation at 12:01 p.m. on October 23, 1984 Subcommittee staff members Elizabeth A. Eastman and James E. Jensen read the following question to you, which you answered in the affirmative:

> "As you know, on October 4, 1984, the Subcommittee on Investigations and Oversight issued a subpoena to the Federal Emergency Management Agency for all documents pertaining to the Inspector General's internal investigations and audits of the Triton Corporation and the IMR Corporation. The documents were provided to the Subcommittee by FEMA on October 5, 1984 and have been treated as though in Executive Session.
>
> "Rather than conducting a meeting at this time, the Subcommittee is taking a telephone poll of the Subcommittee Members to authorize Chairman Gore to release the documents on Wednesday, October 24, 1984.
>
> "How do you vote on the question?"

I would appreciate your signature below indicating confirmation of your vote.

Sincerely,

Al

Albert Gore, Jr.
Chairman
Subcommittee on
Investigations and Oversight

I vote "yes" to the above question: ______________________
Robert Roe, M.C. Date

DON FUQUA (Fla.), Chairman

ROBERT A. ROE, N.J.
GEORGE E. BROWN, JR., CALIF.
JAMES H. SCHEUER, N.Y.
RICHARD L. OTTINGER, N.Y.
TOM HARKIN, IOWA
MARILYN LLOYD, TENN.
DOUG WALGREN, PA.
DAN GLICKMAN, KANS.
ALBERT GORE, JR., TENN.
ROBERT A. YOUNG, MO.
HAROLD L. VOLKMER, MO.
BILL NELSON, FLA.
STAN LUNDINE, N.Y.
RALPH M. HALL, TEX.
DAVE MC CURDY, OKLA.
MERVYN M. DYMALLY, CALIF.
PAUL SIMON, ILL.
NORMAN Y. MINETA, CALIF.
RICHARD J. DURBIN, ILL.
MICHAEL A. ANDREWS, TEX.
BUDDY MAC KAY, FLA.
TIM VALENTINE, N.C.
HARRY M. REID, NEV.
ROBERT G. TORRICELLI, N.J.
FREDERICK C. BOUCHER, VA.

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TOM LEWIS, FLA.

HAROLD P. HANSON
Executive Director
ROBERT C. KETCHAM
General Counsel
DAVID S. JEFFERY
Minority Staff Director

October 23, 1984

Honorable Al McCandless
510 Cannon House Office Building
Washington, D. C. 20515

Dear Al:

This letter is to confirm your vote on the telephone poll of Subcommittee Members concerning authorization to release certain documents received from the Federal Emergency Management Agency.

In a telephone conversation at approximately 12:30 p.m. on October 23, 1984 Subcommittee staff member Elizabeth Eastman read the following question to Bill Binzel, Legislative Assistant in your office, for presentation to you:

> "As you know, on October 4, 1984, the Subcommittee on Investigations and Oversight issued a subpoena to the Federal Emergency Management Agency for all documents pertaining to the Inspector General's internal investigations and audits of the Triton Corporation and the IMR Corporation. The documents were provided to the Subcommittee by FEMA on October 5, 1984 and have been treated as though in Executive Session.
>
> "Rather than conducting a meeting at this time, the Subcommittee is taking a telephone poll of the Subcommittee Members to authorize Chairman Gore to release the documents on Wednesday, October 24, 1984.
>
> "How do you vote on the question?"

At 2:45 p.m., Mr. Binzel advised Mrs. Eastman that you vote "no" on the question. I would appreciate your signature below indicating confirmation of your vote.

Sincerely,

Al

Albert Gore, Jr., Chairman
Subcommittee on
Investigations and Oversight

I vote "no" on the above question: ______________________________
Al McCandless, M.C.   Date

DON FUQUA (Fla.) Chairman

ROBERT A. ROE, N.J.
GEORGE E. BROWN, JR., CALIF.
JAMES H. SCHEUER, N.Y.
RICHARD L. OTTINGER, N.Y.
TOM HARKIN, IOWA
MARILYN LLOYD, TENN.
DOUG WALGREN, PA.
DAN GLICKMAN, KANS.
ALBERT GORE, JR., TENN.
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RALPH M. HALL, TEX.
DAVE MC CURDY, OKLA.
MERVYN M. DYMALLY, CALIF.
PAUL SIMON, ILL.
NORMAN Y. MINETA, CALIF.
RICHARD J. DURBIN, ILL.
MICHAEL A. ANDREWS, TEX.
BUDDY MAC KAY, FLA.
TIM VALENTINE, N.C.
HARRY M. REID, NEV.
ROBERT G. TORRICELLI, N.J.
FREDERICK C. BOUCHER, VA.

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HERBERT H. BATEMAN, VA.
SHERWOOD L. BOEHLERT, N.Y.
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TOM LEWIS, FLA.

HAROLD P. HANSON
Executive Director
ROBERT C. KETCHAM
General Counsel
DAVID S. JEFFERY
Minority Staff Director

October 23, 1984

Honorable Harry Reid
1711 Longworth Building
Washington, D. C. 20515

Dear Harry:

This letter is to confirm your vote on the telephone poll of Subcommittee Members concerning authorization to release certain documents received from the Federal Emergency Management Agency.

In a telephone conversation at 5:45 p.m. on October 22, 1984 Subcommittee staff members Elizabeth A. Eastman and James E. Jensen read the following question to you, which you answered in the affirmative:

> "As you know, on October 4, 1984, the Subcommittee on Investigations and Oversight issued a subpoena to the Federal Emergency Management Agency for all documents pertaining to the Inspector General's internal investigations and audits of the Triton Corporation and the IMR Corporation. The documents were provided to the Subcommittee by FEMA on October 5, 1984 and have been treated as though in Executive Session.
>
> "Rather than conducting a meeting at this time, the Subcommittee is taking a telephone poll of the Subcommittee Members to authorize Chairman Gore to release the documents on Wednesday, October 24, 1984.
>
> "How do you vote on the question?"

I would appreciate your signature below indicating confirmation of your vote.

Sincerely,

Al

Albert Gore, Jr.
Chairman
Subcommittee on
Investigations and Oversight

I vote "yes" to the above question: ______________________________
Harry M. Reid, M.C. Date

Mr. GORE. Since the vote was 6 to 3 in favor of releasing the documents, I will release the documents pursuant to the instructions and consent of a majority of the subcommittee.

At this point, I would also like to include in the record, without objection, a legal opinion prepared by the counsel for the House of Representatives, Mr. Ross, on the subject of telephone polls to obtain consent of a majority of a subcommittee for authorizing a chairman to release documents, subject also to the consent of the members when they reconvene.

[The material referred to follows:]

Office of the Clerk
U.S. House of Representatives
Washington, D.C. 20515

October 23, 1984

MEMORANDUM

TO: The Honorable Albert Gore, Jr.
Chairman, Subcommittee on Investigations and Oversight of the Committee on Science and Technology

FROM: Steven R. Ross SRR (by CT)
General Counsel to the Clerk

Charles Tiefer CT
Assistant General Counsel to the Clerk

SUBJECT: Telephone poll authorizing release of subpoenaed documents in FEMA investigation

We have been informed that the Subcommittee on Investigations and Oversight wishes to release documents obtained by subpoenas to the Federal Emergency Management Agency (FEMA). The Subcommittee has treated the documents as though received in executive session. Now, the Chairman of the Subcommittee, with the concurrence of the Chairman of the full Committee, intends to poll the Subcommittee by telephone regarding release, and we have been asked whether such action is consistent with the applicable rules.

House of Representatives Rule XI(2)(k)(7) provides that "No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the committee." As the Honorable Robert H. Michel, the Minority Leader, has indicated, a problem arises when a chairman acts "without any contact with minority members of either the full committee or the [sub]committee on his own volition...." 130 Cong. Rec. H1494 (daily ed. March 8, 1984). The Minority Leader explained further by letter that the problem arises when a "Subcommittee Chairman decline[s] to even seek the advice or approval of the Members of the Subcommittee prior to turning the documents over...."[1]

The Subcommittee poll will satisfy these purposes of the rule. A Chairman may appropriately seek from his Subcommittee its "consent," or, as the Minority Leader states, its "advice or approval," including checking with all its Members, by means of a telephone poll. The wording of the rule makes this particularly clear since the rule requires committee "consent," in contrast to the restrictive terms used, for example, in Rule XI(2)(l)(A) which requires that "a majority of the committee [be] actually present" for a measure to "be reported from any committee." Accordingly, a telephone poll is consistent with the applicable House rules.

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[1] Letter of March 9, 1984, from Honorable Robert H. Michel to Honorable William D. Ford, Chairman of the Post Office and Civil Service Committee.
(footnote continued)

COMMITTEE ON SCIENCE AND TECHNOLOGY
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

As you know, on October 4, 1984, the Subcommittee on Investigations and Oversight issued a subpoena to the Federal Emergency Management Agency for all documents pertaining to the Inspector General's internal investigations and audits of the Triton Corporation and the IMR Corporation. The documents were provided to the Subcommittee by FEMA on October 5, 1984 and have been treated as though in Executive Session.

Rather than conducting a meeting at this time, the Subcommittee is taking a telephone poll of the Subcommittee Members to authorize Chairman Gore to release the documents on Wednesday, October 24, 1984.

How do you vote on this question?

Mr. GORE. Let me also state for the record that some of these documents were obtained under subpoena; some were not. Some were obtained through other means.

Now, at the direction of myself and of Chairman Fuqua, the staff has treated these documents as if they had been received in executive session, although they had, in fact, not been received in that fashion legally. I have solicited the views of the members of the subcommittee and received their consent to release them at this time.

As a result, guided by the subcommittee vote, I am today releasing certain documents; and as the staff continues its review of subpoenaed materials, additional documents may, at the discretion of the chairman, be released and appended to the record.

Now I would like to comment briefly on the subcommittee's efforts and explain further what is being released today.

The Investigations and Oversight Subcommittee began its investigation of personnel, contract, and management practices at the Federal Emergency Management Agency in March of this year, with a focus on FEMA's National Emergency Training Center in Emmitsburg, MD.

The first phase of the investigation culminated in a hearing on August 1, which led to the resignation of Fred J. Villella, the No. 3 person at FEMA, in the wake of charges of misuse of Government funds, property, and personnel, all of which was strongly supported by documents and by sworn testimony.

One might have thought that the worst abuses at FEMA had been uncovered at that time. However, when the subcommittee began to focus its attention more closely on two major contractors at NETC—Triton and IMR—it became apparent that what might have been viewed as the mismanagement or misconduct of a single individual or individuals at the agency, albeit highly placed, was in fact probably an extensive pattern of misconduct and mismanagement at the highest levels in the agency.

In the subcommittee's extended investigation, we have discovered documents and conducted interviews which suggest possible fraud, and other potentially criminal activity; improper billings, gross mismanagement, and abuses of Government personnel. The evidence available to the subcommittee indicates that favors and gratuities may have been provided by some contractors to top FEMA officials, and it looks as though, in return, special treatment may have been provided to the contractors.

The situation at FEMA is, in a word, intolerable. The American taxpayer and the Congress have a right to expect, and do expect, a higher standard from those in public service. The extent of the misconduct reflected in the documents we have reviewed, and the interviews conducted, suggest that the buck should stop at the top of FEMA.

Given the seriousness of these allegations, one would think that the Director of FEMA would want to have the allegations quickly put to rest. Rather, some at FEMA have gone to great effort to prevent the subcommittee from getting to the bottom of this matter.

The subcommittee originally scheduled a hearing for October 3, but that hearing had to be postponed because FEMA would not provide the crucial FEMA inspector general audits of certain

NETC contractors to the subcommittee, because these documents could prove embarrassing to officials and contractor personnel involved. Those audits, incidentally, were undertaken because of the subcommittee's interest in NETC. The subcommittee, therefore, had to issue a subpoena to obtain the documents; and it is now clear why the agency fought so hard to keep the documents private.

The documents I am releasing include those which, in my opinion, first, suggest a pattern of multiple billings for the same services, instances of inflated invoices with allegedly forged signatures, and others with charges for improper expenses and misrepresenting those expenses; documents which indicate that Louis O. Giuffrida, the Agency Director, and Mrs. Giuffrida, accepted a potentially illegal gratuity by attending a $250-a-person special reception in honor of Vice President Bush to raise funds for the Capitol Hill Club, and then billed it to the contract and charged the taxpayers with that expense.

We have also found a billing for a payment by the same contractor to a "Conservative Political Action Committee." Again, the taxpayers were charged for this contribution to a "Conservative Political Action Committee." We are still seeking documentation from the Triton Corp. for additional information on this contribution.

We are also releasing documents which indicate that the person appointed by FEMA to be in charge of physical security and to conduct a liaison with Federal, State, and local law enforcement agencies is a convicted felon who served time in prison for mail fraud, and yet was granted a top secret security clearance by FEMA.

The documents also indicate that FEMA instituted what appears to be an extraordinary system of fast-track payments of vouchers submitted by a company without making any attempt to ensure that the charges are appropriate; documents also which suggest that, in order to avoid embarrassment, the agency withheld documents asked for by the subcommittee, which have been repeatedly requested by the subcommittee, concerning travel expenses for Mrs. Giuffrida overseas at the Government's expense.

I believe that these documents appropriately belong in the public record and unquestionably raise most serious concerns and questions which must be answered about the fitness of those in charge at FEMA. FEMA should be on notice that the subcommittee intends to pursue these and other allegations to the fullest extent at the December 12, 1984, hearing.

Now some of these documents were obtained by the sbucommittee and are not covered by the terms of the subpoena. Those documents are being released today and are submitted for inclusion into the record. However, I note no quorum is present, so I will submit those documents for the record subject to the consent of the members of the subcommittee at the next meeting of the subcommittee.

These documents will be appended to the record as exhibits: Exhibit 1 contains documents that show that the current head of physical security at FEMA was convicted of mail fraud in March of 1977 and was subsequently given a top secret security clearance by FEMA, was appointed head of physical security at FEMA, and put in charge of liaison with Federal, State, and local law enforcement agencies.

Exhibit 2: These documents tend to show that on February 23 of this year, Mr. and Mrs. Giuffrida and Mr. and Mrs. Villella attended a $250-a-person reception in honor of Vice President Bush to raise funds for a building for the National Republican Club of Capitol Hill. Documents and checks also tend to show that their expenses were paid by the Triton Corp., and that Triton then in turn, billed the $2,000 for a table of eight back to the Agency as a "conference and luncheon expense," and the taxpayers picked up the bill.

Exhibit 3 contains documents which tend to show that Triton billed the Federal Government to fly an administrative assistant at Triton down to Mexico City and that a Triton credit card was used to buy $1,200 worth of entertainment at a location where Mr. and Mrs. Guiffrida were at that time.

Additional documents on the alleged abuses of the Triton Corp. include: a memorandum that shows that Triton overran its budget for its contract for 1983 by some $128,000 and then billed the agency for it in its new contract; next, vouchers submitted by contractors in which charges to FEMA were apparently inflated, and signatures were apparently forged; third, a number of undocumented expenses which may be highly questionable.

On one occasion Triton submitted a bill for $5,606 in "conference" expenses, yet a bill from the Holiday Inn for an open bar was paid by Triton, for exactly that amount plus $100. There is also the undocumented expense of $1,200 to a "Conservative Political Action Committee" which does not specify what those expenses were for. Despite repeated requests from the subcommittee, Triton has failed to document that expense. Again, that is in exhibit 3.

Exhibit 3 also contains a document suggesting that Triton double-billed for the services of a professor from Charleston, SC, and contains documents raising questions about certain expenditures by a Nevada State assemblyman, David Nicholas, who billed FEMA for approximately $1,100 to put on a conference which never took place.

Exhibit 4 contains a series of documents which show that Mrs. Genevieve Guiffrida traveled with her husband, Louis Guiffrida, Director of FEMA, on one trip to Mexico City and another trip to Belgium, Italy, and Israel. In preparation for the subcommittee's hearing on August 1, the subcommittee had requested all documents concerning her foreign travel. What the agency left out, despite repeated requests, were the documents that show that there were official inquiries concerning the expenses on these trips and, that in Israel it was anticipated that Mrs. Giuffrida would go sightseeing while Mr. Giuffrida was attending business meetings. There are no documents showing official requests for her attendance.

Exhibit 5 contains documents showing that FEMA officials put Triton billings on a very special basis, so that the personnel who were supposed to verify Triton billing were bypassed on the orders of senior FEMA officials, between November 1983 and May of 1984. It was during that time that many of the questionable expenses are alleged to have occurred that are of concern to the subcommittee.

I might add that we have also found what appears to be retribution against a FEMA employee who raised questions about these billings.

Exhibit 6, concerning the IMR Corp., contains a summary of the inspector general's audits and states that William Elsey, the vice president of IMR, who had complete responsibility for IMR's FEMA contracts, operated a separate company called EMMA. According to the IG summary, Mr. Elsey rented equipment from his personal company and charged it to the FEMA contract. So EMMA was getting money from FEMA.

According to the IG summaries as well, Mr. Elsey paid himself a $8,000 bonus and charged expenses incurred by EMMA to the FEMA contract. It should be noted for the record that Mrs. Paula Smith-Elsey—Mr. Elsey's wife—is an officer of the EMMA Corp. and a long-time associate of Louis O. Giuffrida, having worked as his special assistant at FEMA, and having worked for Mr. Giuffrida at the California Specialized Training Institute, which Mr. Giuffrida headed before assuming his current position.

According to the IG summary, IMR has also double-billed, triple-billed, and quadrupled billed the agency for some $55,000.

The summary also shows that IMR owes the IRS some $1 million in back payroll taxes and was found by the Defense Contract Auditing Agency to have inadequate accounting systems and has never been audited by FEMA.

Although this document is not contained in exhibit 6, we also have records showing that the Defense Contract Auditing Agency advised not entering into a contract with IMR because of certain deficiencies in their contracting procedures. But FEMA decided to go ahead and enter into the contract anyway.

It should also be noted for the record that according to staff conversations with FEMA officials, both IMR and Triton Corp. received sole source contracts. They were given these contracts under auspices of the 8(a) Program of the Small Business Administration. Both corporations are currently under investigation for irregularities as to their sole source status under this provision.

The subcommittee is also introducing into the record, as exhibit 7, documents which tend to support a potential conflict of interest in contracting by Louis O. Giuffrida. These documents show that last December Mr. Giuffrida stated that he intended to support the International Management Development Institute with $100,000 of FEMA money. The procurement and sole source procedures were not completed until 6 months later. Mr. Giuffrida serves as an officer of that institute.

Staff documents also show that last May two FEMA employees were ordered by Mr. Frank Payne to approve three unsolicited proposals, two of which were for the Analytical Systems Engineering Corp. The proposals were to computerize the student records at the campus, a system which was already in place. When these employees refused to do this, Frank Payne reported their refusal to Ron Face, who was then a special assistant to Mr. Giuffrida, working directly for him. The executive vice president of ASEC is Mr. Frank Serio, who is a long-time friend and associate of Mr. Giuffrida, who admitted that he briefed Mr. Giuffrida about the capabilities of his corporation.

As it turned out, these proposals were not funded, but they are part of a pattern of unsolicited proposals being accepted at an unprecedented rate—or at a very high rate, high enough so that the audit of FEMA raised serious questions about this.

Now, before recessing this meeting, I would note that the relevant documents are going to be available on the table in the corner.

Now, let me make one other announcement while the subcommittee is still in session. We began an investigation of yet another contract at FEMA, but because it involved classified operations we have referred that matter to the Intelligence Committee on which I serve. That matter is being vigorously pursued at the Intelligence Committee.

Now, I would like to detail some contracting practices by FEMA about which the subcommittee has raised questions, and there are essentially 11 of them. No. 1, letting contractors work before contracts and contract modifications were in place.

No. 2, not carefully defining the scope of the work required and the specific deliverables, so reasonable estimates of the efforts and costs can be made in advance by both FEMA and contractor personnel.

No. 3, use of cost plus a percentage of cost contracts which is illegal.

No. 4, conversion of portions of a cost plus a percentage of cost contract at fixed prices.

No. 5, inclusion of work outside the general scope of the contract.

No. 6, acceptance of contract billings that were not supported in sufficient detail to permit a reasonable determination when the costs were allowable.

No. 7, not requiring contractors to submit progress reports as required by their contracts.

No. 8, not permitting project and contracting officers to question and disallow unsupported and/or questionable billings.

No. 9, fourth quarter contracting.

No. 10, inclusion of provisions in contracts not allowable in Federal contracts.

And No. 11, permitting officials other than the project officers and contracting officers to direct the contractors to do work and make expenditures not provided for in the contracts.

Let me conclude this meeting by announcing again that the hearing which had been scheduled for today will be held on December 12 at 9:30 in the morning. With that, this meeting will stand adjourned.

[Whereupon, at 1:30 p.m., the subcommittee was adjourned.]

[The documents referred to follow:]

EXHIBIT 1

UNLI

Federal Emergency Management Agency
Washington, D.C. 20472

SP-SC

MEMORANDUM FOR: George H. Smith
Special Assistant for Security Policy

FROM: John J. Lavery
Security Officer

SUBJECT: SILVER, Frank

On December 13, 1981, this Office requested that the Office of Personnel Management conduct an updating background investigation (BI) concerning the subject. In addition to the usual coverage afforded in BI's OPM was requested to ascetain if:

(a) The subject lived up to the terms of his probation which required him to make restitution to Group Hospitalization Inc. (GHI), the amount of $200.00 per month beginning March 1, 1979?

(b) The subject sought financial counseling as required by the terms of his probation?

(c) Allegations contained in the 1979 BI of subject that he received psycho-therapeutic services were in fact true.

(d) Subject was in fact divorced from his second wife. (the May 1979 BI was confusing on this point.)

The requested BI was completed August 21, 1982. Following is a summary of this investigation as well as a summary of the May 1979 investigation. Mr. Silver was also the subject of BI's completed in 1972 and 1975 which were generally favorable and based upon these investigations Mr. Silver was granted a Top Secret clearance by the General Services Administration, February 13, 1976.

SUMMARY: 1982 INVESTIGATION

With respect to reference (a) the Claims Division of GHI was contacted and advised that the subject was initially ordered by the District of Columbia Court to make restitution to the company in the amount of $16,908.00. Records indicate that the subject made his initial payment to the company in the sum of ~~$200.00 in~~ January, 1979 and payments in that amount have been received continously every month. As of April 21, 1982, payment in the amount of $7,730.00 has been received. A balance of $8,978.00 remains which must be paid by October 11, 1982 in order for subject to comply with the terms of his probation.

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ONLY

experience. Source advised he feels subject has accepted his illegal actions and has dealt with them in a mature and responsible fashion. Source continued that he would recommend that subject's personal life and finances be closely monitored. Source believes subject suitable for a security clearance.

The files of the FEMA Inspector General reflect an incident when on November 18, 1981 subject's vehicle was parked on "I" Street between the hours of 8 & 9 p.m. was struck by another vehicle. The police responded to the incident and found subject's car to be equipped with a 2-way radio and although they were inoperable at the time subject's car was also equipped with flasher lights and a hood loud-speaker. An FBI agent questioned subject on the scene as they had responded to a call from the MPDC which indicated that an FBI vehicle was involved in the accident and subject advised that he was a former MPDC Reserve Officer; that the equipment was inoperable and that he had planned to have it removed. File indicates that the FBI did not intend to open an investigation into the matter.

MPDC Police records indicate only one arrest 3/4/77 for carrying a pistol without a license.

FBI records reflect arrest for Mail Fraud 3/4/77.

SUMMARY: May 7, 1979 INVESTIGATION

The full field investigation completed by the Office of Personnel Management (OPM) on May 7, 1979, included a Federal Bureau of Investigation (FBI) investigation entitled "Fraud Against the Government", reports dated 1976 and 1977, which indicated SUBJECT's arrest for making false health benefits claims in the approximate amount of $16,948.00. The report further reflects HIS arrest and subsequent guilty plea and sentence on May 12, 1977 to 18 - 54 months, all of which were suspended except for 6 months, and placed on 5 years probation, conditions of which full restitution be made, return to HIS job and obtain financial counseling.

The OPM coverage at the Allenwood Prison Camp, Montgomery, Pennsylvania, reflects HE was comitted May 27, 1977, and released on October 12, 1977, on good behavior. The investigation included favorable interviews with individuals during HIS incarceration. Interviews with personnel employed by General Services Administration (GSA) reflected four individuals recommended Subject to occupy a sensitive position. One of these recommendations was with reservation of Subject handling money or any position involving financial responsibility. Interviews with four other GSA employees reflected that they would not recommend SUBJECT to occupy a sensitive position in GSA. Further, two other employees were skeptical about making a recommendation or hesitatd about making a recommendation for SUBJECT occupying a sensitive position. An additional employee stated he personally did not want to pass judgment on whether to recommend Subject to a sensitive position. Interviews with both listed and developed references reflected five individuals who would

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FEDERAL EMERGENCY MANAGEMENT AGENCY

ANNUAL SUMMARY RATING

This form will be used for the FEMA performance planning and appraisal system. It should be completed for all applicable FEMA employees at the end of the performance rating period. The final summary rating is based on the employee's overall progress during the appraisal period.

1. NAME OF EMPLOYEE Frank J. Silver	2. SSN 578-40-4368
3. POSITION TITLE AND NUMBER Physical Security & Safety Officer	4. SERIES AND GRADE GM-301-13/1
5. AGENCY ORGANIZATION AND DUTY STATION Executive Administration — Office of Security Washington, DC	6. RATING PERIOD From: To:

7. PAY CATEGORY *(Check appropriate box)*

☒ GM ☐ GS ☐ WAGE SYSTEM

8. CRITICAL ELEMENTS	10. ELEMENT RATING O	E	M	F	X
a. Serves as security and safety officer for planning and implementing policies and procedures necessary for the maximum security...			X		
b.					
c.					
d.					
e.					
REQUIRED ELEMENTS					
Plans, develops and implements special methods and procedures to insure adequate control of personnel entry and exit of buildings...			X		
b. Plans, directs, and regularly reviews operational control of security personnel (contract guards, FPS Officers) assigned to...		X			
c. Plans, implements and directs necessary security measures for the protection of the Director, FEMA, key officials & visiting ...		X			
d. Plans, organizes administers and directs an aggressive FEMA-wide safety program in compliance with National Safety Council and...		X			
e. Develops contacts and maintains liaison in a cooperative and professional manner with federal, state, and local law enforement...		X			

SUMMARY RATING *(Check appropriate box)*

☐ OUTSTANDING ☐ EXCEPTIONAL ☒ FULLY SUCCESSFUL ☐ MINIMALLY SATISFACTORY ☐ UNSATISFACTORY

☐ UNABLE TO RATE *(Explain in remarks)*

REMARKS

REVIEWS

All areas of this form should be thoroughly discussed between the employee and the immediate supervisor.
The employee's social security number is requested on this form for record retrieval and pay administration purposes.

TING OFFICIAL (Title and signature)	DATE 10/18/83
PLOYEE (Signature)	DATE 10/20/83
VIEWING OFFICIAL (Title and signature)	DATE 10/24/83

Federal Emergency Management Agency
Washington, D.C. 20472

SECURITY CLEARANCE NOTIFICATION

NAME: SILVER, Frank (NMN)

POSITION: Physical Security & Safety Officer

ORGANIZATIONAL UNIT: Office of Security

The reports of investigation furnished in the case of the person designated above have been examined and are found to satisfy the investigative requirements set forth in Executive Order 10450, as amended, and it has been determined, on the basis of all evidence of record pertaining to the person named that this individual's employment is clearly consistent with the interests of the national security.

The named employee is authorized to have access to classified information and material up to and including TOP SECRET when required in the performance of official duties.

EFFECTIVE DATE: 14 MAR 1983

Arlan L. Kinney
Director, Office of Security
FEMA

THIS NOTIFICATION IS FOR
OFFICIAL PURPOSES ONLY
AND IS NOT TO BE
TRANSFERRED, REPRODUCED
OR GIVEN TO SUBJECT.

Copy for File in:
Personnel
Security

Federal Emergency Management Agency
Washington, D.C. 20472

SP-SE

SECURITY CLEARANCE NOTIFICATION

NAME:	Frank SILVER
POSITION:	Administrative Services Officer
ORGANIZATIONAL UNIT:	Administrative Support Division

The reports of investigation furnished in the case of the person designated above have been examined and are found to satisfy the investigative requirements set forth in Executive Order 10450, as amended, and it has been determined, on the basis of all evidence of record pertaining to the person named that this individual's employment is clearly consistent with the interests of the national security.

The named employee is authorized to have access to classified information and material up to and including **SECRET**, when required in the performance of official duties.

EFFECTIVE DATE: OCT 15 1982

John J. Lavery
Security Officer
FEMA

Copy for file in:
Security
Personnel
Admin

THIS NOTIFICATION IS FOR
OFFICIAL PURPOSES ONLY AND
IS NOT TO BE TRANSFERRED,
REPRODUCED OR GIVEN TO SUBJECT.

Answer items 27 through 34 by placing an "X" in the proper column	YES	NO
27 Are you a citizen of the United States? …… If "NO", give country of which you are a citizen	X	
NOTE A conviction or a firing does not necessarily mean you cannot be appointed. The nature of the conviction or firing and how long ago it occurred is important. Give all the facts so that a decision can be made. 28 Within the last five years have you been fired from any job for any reason? ……		X
29 Within the last five years have you quit a job after being notified that you would be fired? …… If your answer to 28 or 29 above is "YES", give details in Item 35. Show the name and address (including ZIP Code) of employer, approximate date, and reasons in each case. This information should agree with your answers in Item 21, Experience.		X
30 A. Have you ever been convicted, forfeited collateral, or are you now under charges for any felony or any firearms or explosives offense against the law? (A felony is defined as any offense punishable by imprisonment for a term exceeding one year, but does not include any offense classified as a misdemeanor under the laws of a State and punishable by a term of imprisonment of two years or less.) ……	X	
B During the past seven years have you been convicted, imprisoned, on probation or parole or forfeited collateral, or are you now under charges for any offense against the law not included in A. above? ……		X
NOTE When answering A. and B. above, you may omit: (1) traffic fines for which you paid a fine of $30.00 or less; (2) any offense committed before your 18th birthday which was finally adjudicated in a juvenile court or under a youth offender law; (3) any conviction the record of which has been expunged under Federal or State law; and (4) any conviction set aside under the Federal Youth Corrections Act or similar State authority. 31 While in the military service were you ever convicted by a general court-martial? …… If your answer to 30A, 30B, or 31 is "YES", give details in Item 35. Show for each offense: (1) date, (2) charge, (3) place, (4) court, and (5) action taken.		X
32 Does the United States Government employ in a civilian capacity or as a member of the Armed Forces any relative of yours (by blood or marriage)? (See Items 32 and 33 in the attached instruction sheet.) ……		X
33 Do you live with, or within the past 12 months have you lived with, any of these relatives who are employed in a civilian capacity? …… If your answer to 32 is "YES", give in Item 35 for such relatives: (1) name, (2) present address (including ZIP Code), (3) relationship, (4) department, agency, or branch of the armed forces. If your answer to 33 is "YES", also give the kind of appointment held by the relative(s) you live with or have lived with within the past 12 months.		X
34 Do you receive, or do you have pending, application for retirement or retainer pay, pension, or other compensation based upon military, Federal civilian, or District of Columbia Government service? …… If your answer to 34 is "YES", give details in Item 35.		X

Your Statement cannot be processed until you have answered all questions, including items 27 through 34 above. Be sure you have placed an "X" to the left of EVERY marker (◀) above, either in the "YES" or "NO" column.

35 Item Number	Space for detailed answers. Indicate item number to which the answers apply
22A	section of GSA Administrative Manual (edited and rewrote). GSA Telecommunications
	Equipment Guide (authored). Have knowledge of and practical experience with most
	types of radio and telecommunications equipment. Have some familiarity with
	EDP and ADP equipment. Have practical experience with laboratory testing
	and measurement instrument used to determine GSR, EKG, EEG, etc.
	Membership in the International Association of Chiefs of Police.
30A	3/4/77, mail fraud, Wash. DC, District Court, split sentence.
23G	for Accountable Officers) and Management Courses for Supervisors conducted by
	the GSA Office of Personnel (Manpower Management, EEO Workshop, Preperation
	of Annual Training Plans, etc.) - totaling approximately 40 hours
	CREI, Wash., DC, (1) Management Training, (2) Computer Technology, (3) Elec-
	tronic Engineering - 1963/64.

If more space is required, use full sheets of paper approximately the same size as this page. Write on each sheet your name, birth date, and announcement or position title. Attach all sheets to this Statement at the top of page 3.

ATTENTION — THIS STATEMENT MUST BE SIGNED

Read the following paragraphs carefully before signing this Statement.

A false answer to any question in this Statement may be grounds for not employing you, or for dismissing you after you begin work, and may be punishable by fine or imprisonment (U.S. Code, Title 18, Section 1001). All the information you give will be considered in reviewing your Statement.

AUTHORITY FOR RELEASE OF INFORMATION

I have completed this Statement with the knowledge and understanding that any or all items contained herein may be subject to investigation prescribed by law or Presidential directive and I consent to the release of information concerning my capacity and fitness by employers, educational institutions, law enforcement agencies, and other individuals and agencies, to duly accredited investigators, Personnel Staffing Specialists, and other authorized employees of the Federal Government for that purpose.

CERTIFICATION	SIGNATURE (sign in ink)	DATE
I certify that all of the statements made by me are true, complete, and cor		

FEDERAL EMERGENCY MANAGEMENT AGENCY

ANNUAL SUMMARY RATING

This form will be used for the FEMA performance planning and appraisal system. It should be completed for all applicable FEMA employees at the end of the performance rating period. The final summary rating is based on the employee's overall progress during the appraisal period.

1. NAME OF EMPLOYEE: Frank J. Silver
2. SSN: 578-40-4368
3. POSITION TITLE AND NUMBER: Physical Security & Safety Officer
4. SERIES AND GRADE: GM-301-13/1
5. AGENCY ORGANIZATION AND DUTY STATION: Executive Administration — Office of Security, Washington, DC
6. RATING PERIOD: From: To:
7. PAY CATEGORY *(Check appropriate box)* ☒ GM ☐ GS ☐ WAGE SYSTEM

8. CRITICAL ELEMENTS	10. ELEMENT RATING O	E	M	F	X
a. Serves as security and safety officer for planning and implementing policies and procedures necessary for the maximum security...			X		
b.					
c.					
d.					
e.					
REQUIRED ELEMENTS					
a. Plans, develops and implements special methods and procedures to insure adequate control of personnel entry and exit of buildings...			X		
b. Plans, directs, and regularly reviews operational control of security personnel (contract guards, FPS Officers) assigned to...		X			
c. Plans, implements and directs necessary security measures for the protection of the Director, FEMA, key officials & visiting ...		X			
d. Plans, organizes administers and directs an aggressive FEMA-wide safety program in compliance with National Safety Council and...		X			
e. Develops contacts and maintains liaison in a cooperative and professional manner with federal, state, and local law enforement..		X			

11. SUMMARY RATING *(Check appropriate box)* ☐ OUTSTANDING ☐ EXCEPTIONAL ☒ FULLY SUCCESSFUL ☐ MINIMALLY SATISFACTORY ☐ UNSATISFACTORY ☐ UNABLE TO RATE *(Explain in remarks)*

12. REMARKS

REVIEWS

All areas of this form should be thoroughly discussed between the employee and the immediate supervisor.
The employee's social security number is requested on this form for record retrieval and pay administration purposes.

TING OFFICIAL *(Title and signature)*	DATE 10/18/83
PLOYEE *(Signature)* Frank J. Silver	DATE 10/20/83
VIEWING OFFICIAL *(Title and signature)*	DATE 10/24/83

Federal Emergency Management Agency
Washington, D.C. 20472

October 5, 1982

MEMORANDUM FOR: John Lavery
Security Officer

FROM: Gerald S. Martin
Executive Administrator

SUBJECT: SILVER, Frank

I have reviewed the results of the full field investigation concerning the subject and have determined that the subject is suitable for employment in the Federal Emergency Management Agency.

Attachment

EXHIBIT 2

Invoice #6B

EXHIBIT 2

vouchers F

# [illegible]

Invoice Date 3/16/84

Voucher Date 4/9/84

Account # ~~[illegible]~~ 5400

Contract # 398/12

Amount $ 2000.00

call J. Smith for T.O. #

Authorized by: BJB

Name Capital Hill Club

Address 300 1st St S.E

Wash

State D.C. Zip Code 20003

Acct #	Description	Amount
~~[illegible]~~ 5400-	Conference	2000.00
~~[illegible]~~	~~[illegible] AF~~	~~[illegible]~~
	Total	2000.00
		~~[illegible]~~

Paid by: EDS

Check Date 3/28/84

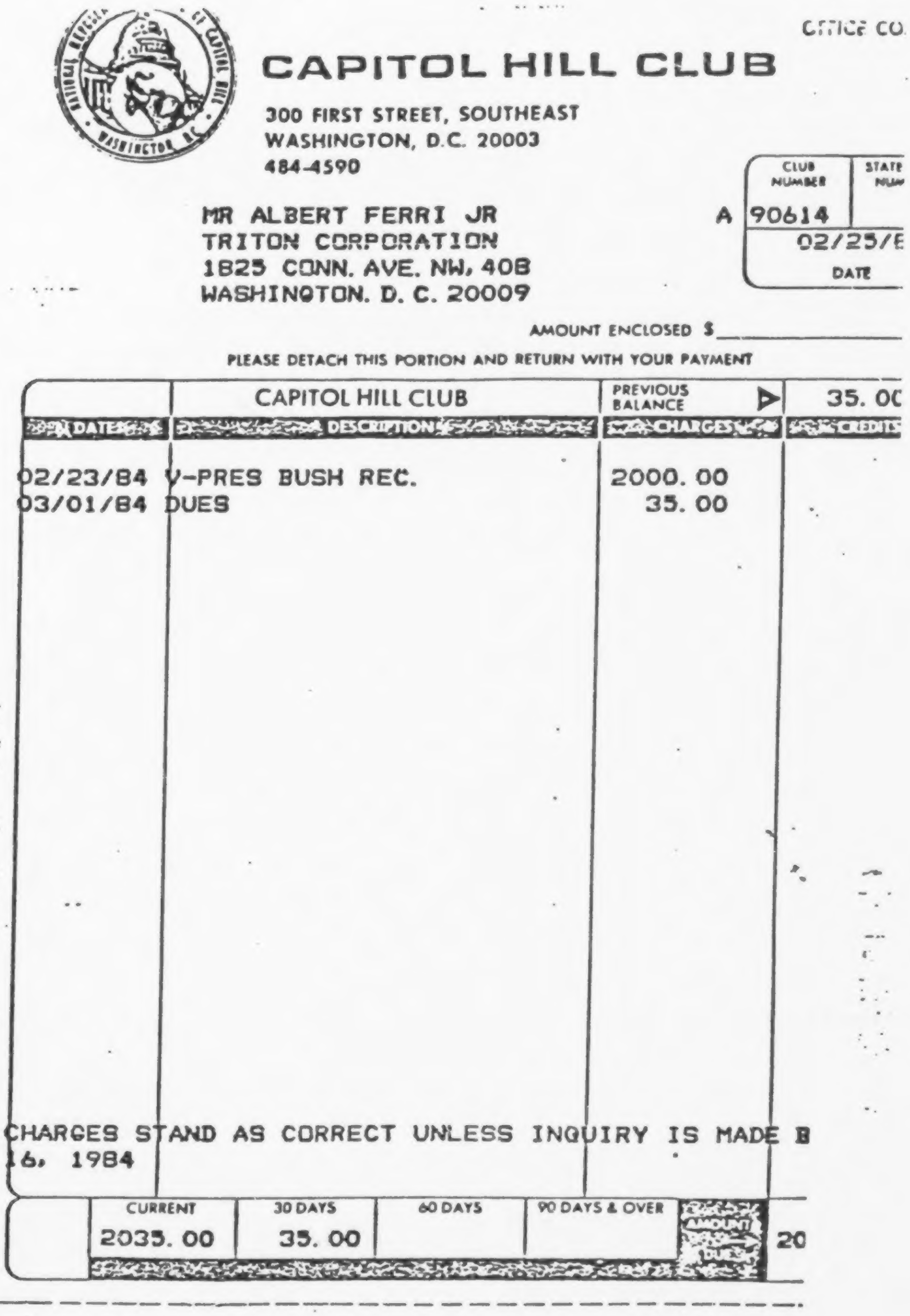
Check # 1473

Amount $1000.00

6/25/84

#468

$1000.00



OFFICE CO

CAPITOL HILL CLUB

300 FIRST STREET, SOUTHEAST
WASHINGTON, D.C. 20003
484-4590

CLUB NUMBER	STATE NUM
A 90614	
02/25/8	
DATE	

MR ALBERT FERRI JR
TRITON CORPORATION
1825 CONN. AVE. NW, 408
WASHINGTON. D. C. 20009

AMOUNT ENCLOSED $__________

PLEASE DETACH THIS PORTION AND RETURN WITH YOUR PAYMENT

	CAPITOL HILL CLUB	PREVIOUS BALANCE ▷	35. 00
DATE	DESCRIPTION	CHARGES	CREDITS
02/23/84	V-PRES BUSH REC.	2000. 00	
03/01/84	DUES	35. 00	

CHARGES STAND AS CORRECT UNLESS INQUIRY IS MADE B
16, 1984

CURRENT	30 DAYS	60 DAYS	90 DAYS & OVER	AMOUNT DUE
2035. 00	35. 00			20

RESERVATIONS

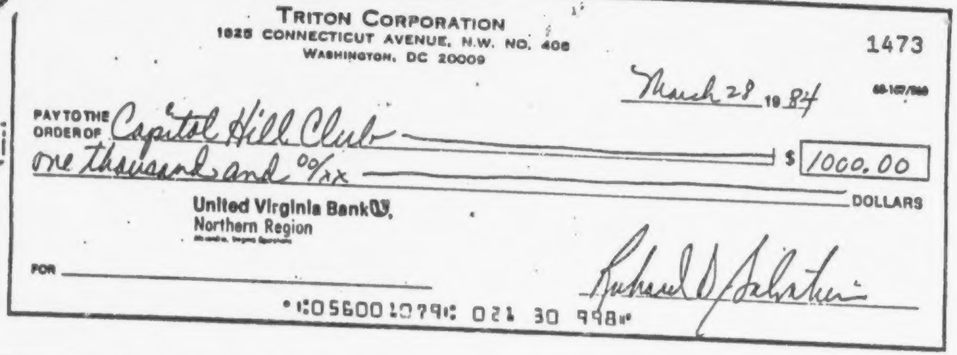
NAME OF FUNCTION: CHC Special Rcpn DATE: 2-23-84
PRICE: $250 TIME: 5-7 P.M.
MAXIMUM RESERVATIONS ACCEPTED: ______________

	NAME	PHONE NUMBER	CLUB NO.	NUMBER OF RESERVATIONS
9	John Fitzpatrick	538-5082	R-6255	(2) Charge
0	Patricia Fitzpatrick	" "	"	"
1	William Friedman	466-2895	R-15065	(2) Charge
2	Aileen Friedman	362-2508	"	" "
	Albert Ferri, Jr.	332-8310	A-90614	(3) Charge
	Mr. Frederick Villella	287-0340	"	"
3	Ms. Edith Villella	" "	"	"
	Ms. Louie Gioffrida	287-0330	"	"
	Mrs. Jenna Gioffrida	" "	"	"
	Ms Molly Hazebroeck	296-5059	"	"
	Richard Salvatierra	332-8310	"	"
	Laurie Hein	" "	"	"
3	Dr. Jerry Falwell	804-528-4112		(2) Paid
	Macel Falwell	" " ~~[illegible]~~		"

LETTER:

B. G.
145184

B.C. 10/9/84



TRITON CORPORATION
1825 CONNECTICUT AVENUE, N.W. NO. 406
WASHINGTON, DC 20009

1473

March 28 19 84

PAY TO THE ORDER OF Capitol Hill Club $ 1000.00

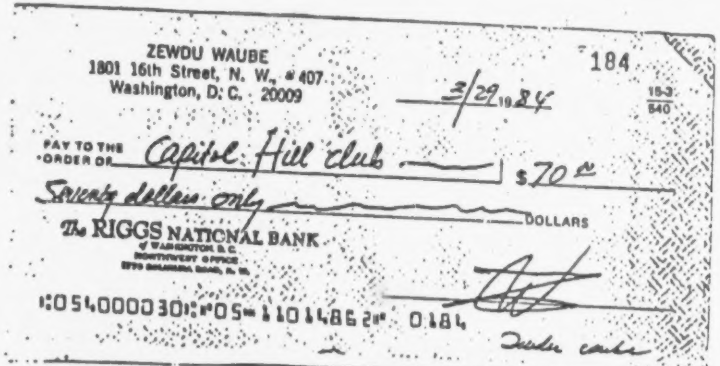
one thousand and 00/xx DOLLARS

United Virginia Bank
Northern Region

FOR

Richard D. Salvatori

⑆056001079⑆ 021 30 998⑈



ZEWDU WAUBE
1801 16th Street, N. W., # 407
Washington, D. C. 20009

184

3/29 19 84

15-3/540

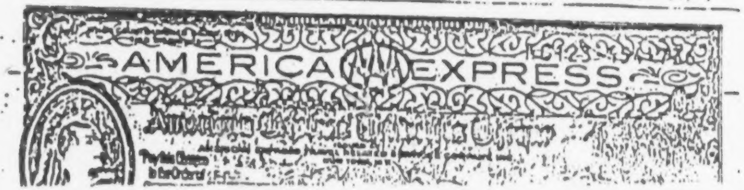
PAY TO THE ORDER OF Capitol Hill club $ 70 00

Seventy dollars only DOLLARS

The RIGGS NATIONAL BANK

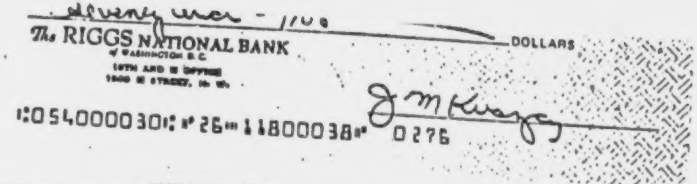
⑆054000030⑆05-1101486 2⑈ 0184

Tender cash



AMERICA EXPRESS

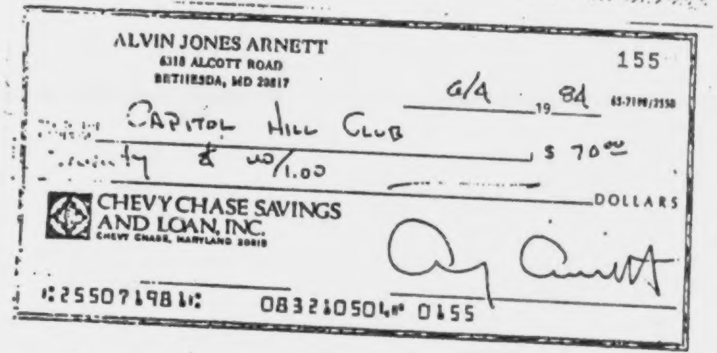
Pay this Cheque to the Order of



Seventy one - 1/00 DOLLARS

The RIGGS NATIONAL BANK
of WASHINGTON D.C.
19TH AND M OFFICE
1900 M STREET, N.W.

⑆054000030⑆ 26 118000 38⑈ 0276



ALVIN JONES ARNETT
6318 ALCOTT ROAD
BETHESDA, MD 20817

155

6/4 19 84

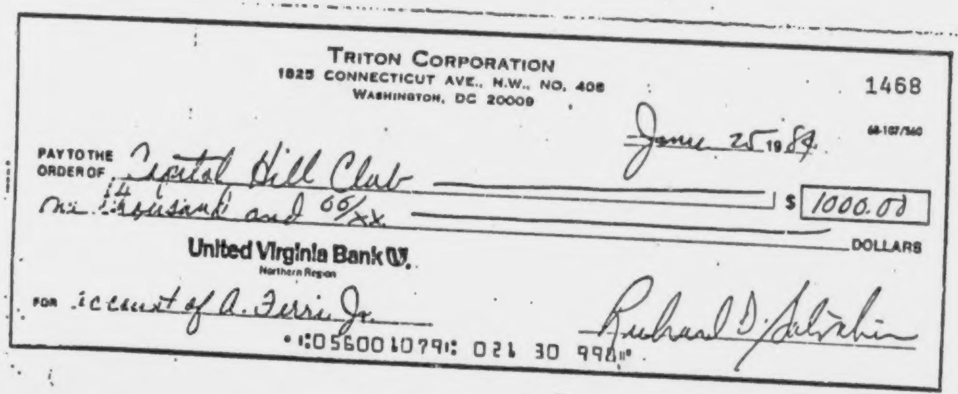
65-7198/2550

Capitol Hill Club $ 70.00

Seventy & no/1.00 DOLLARS

CHEVY CHASE SAVINGS AND LOAN, INC.
CHEVY CHASE, MARYLAND 20815

⑆255071981⑆ 083210504⑈ 0155



TRITON CORPORATION
1825 CONNECTICUT AVE., N.W., NO. 406
WASHINGTON, DC 20009

1468

June 25 1984

68-107/560

PAY TO THE ORDER OF Capital Hill Club $ 1000.00

One thousand and 00/xx DOLLARS

United Virginia Bank
Northern Region

FOR account of A. Ferris Jr.

⑆056001079⑆ 021 30 998⑈

Reservations are limited to the
first 300 persons and must be made
and paid for in advance. All
tickets must be purchased by cash,
check or charged to individual
Club accounts.

Security precautions necessitate
advance reservations.

Make Checks payable to
C.H.C.—Special Reception

Please return with
reservation card in the
enclosed envelope.

This is not a political contribution.

NATIONAL REPUBLICAN CLUB OF CAPITOL HILL
WASHINGTON, D.C.

The Board of Governors
of the Capitol Hill Club
cordially invite you to attend a
Reception and Buffet
honoring
Vice-President and Mrs. George Bush
at the
Capitol Hill Club
300 First Street, S.E.
Washington, D.C. 20003
5 to 7 P.M.
Thursday, February 23, 1984

$250 per person   Dress Informal

(Important Information Inside)

168

Capitol Hill Club
Reception and Buffet
honoring
Vice-President and Mrs. George Bush
at the
Capitol Hill Club
300 First Street S.E.
Washington, D.C. 20003
5 to 7 P.M.
Thursday, February 23, 1984

Capitol Hill Club
Buffet
Presidential Dining Room
February 23, 1984
6 to 7 P.M.

168 ADMIT ONE

Capitol Hill Club
Reception
honoring
Vice President and Mrs. George Bush
Eisenhower Lounge
February 23, 1984
5 to 6 P.M.

168 ADMIT ONE

Reception and Buffet honoring Vice-President and Mrs. George Bush at the Capitol Hill Club, Thursday, February 23, 1984, 5 to 7 P.M.

Please make .... reservations @ $250 per person

My check for $ .... is enclosed made payable to CHC Special Reception.

Please charge my account number .... for the tickets.

....
Signature

Name ....

Address ....

Social Security Number .... Phone ....

Must have name, address, Social Security number with phone number of all persons attending. If you have guests put name, address, Social Security number with phone number on reverse side of this card. (This information requested by the Secret Service)

Capitol Hill Club

FACT CARD

On February 23, 1984 the club will be sponsoring a special reception in honor of Vice-President George Bush. The proceeds from this reception are to be used to assist the Club in capital improvements. We hope that all Club members will make a special effort to participate. Corporate funds may be used for this Reception.

As reservations will be limited, we encourage you to return the enclosed card with your check as soon as possible. Upon receipt, reservations will be made as requested and tickets will be mailed to avoid the necessity of checking in at the door on arrival. We are advised that Vice-President Bush plans to arrive promptly at 5:00 P.M., after which the building will be secured by the Secret Service.

Should you have any questions, please the club at 202—484-4590.

Thomas J. Lankford

Thomas J. Lankford
President

- EXHIBIT 3

Vouchers Pay
# 6239

Invoice Date 1/3/84
Voucher Date 2/13/84

Account # 5400
Contract # 397/12
Amount $ 1202.64

Authorized by:

Name Hotel Maria Isabel Sheraton
Address Paseo DE LA REFORM N. 325
MEXICO 5, D. F.
State Zip Code

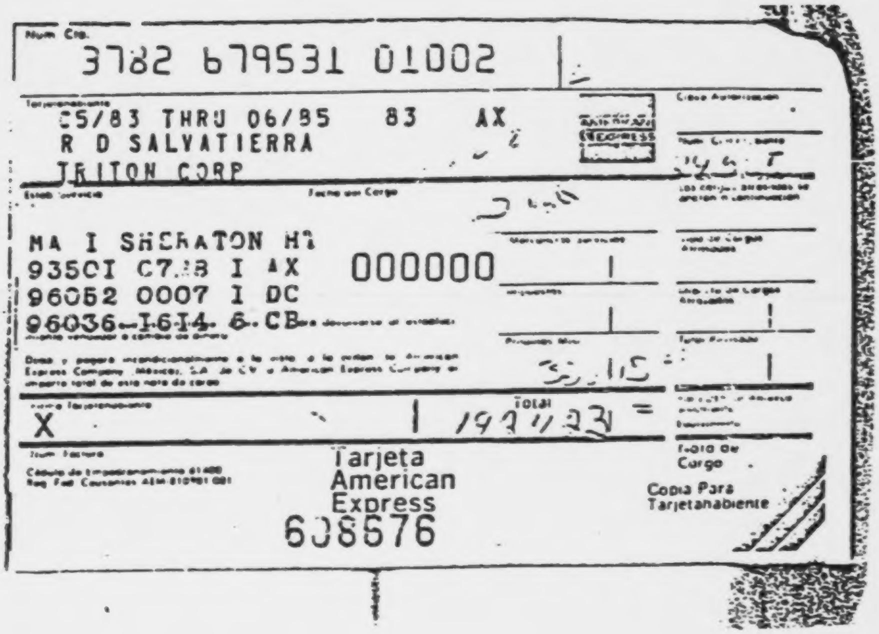
Acct #	Description	Amount
5400 - 397/12	Conference Reception	1202.64
	Total	1202.64

Paid by:
Check Date 1/27/84
Check # 1230
Amount $ 1202.64

✓

TRITON

Attachment 4



Num. Cta.

3782 679531 01002

05/83 THRU 06/85 83 AX

R D SALVATIERRA

TRITON CORP

MA I SHERATON H

93501 C7 B I AX 000000

96052 0007 I DC

96036 1614 6 CB

33.115

X

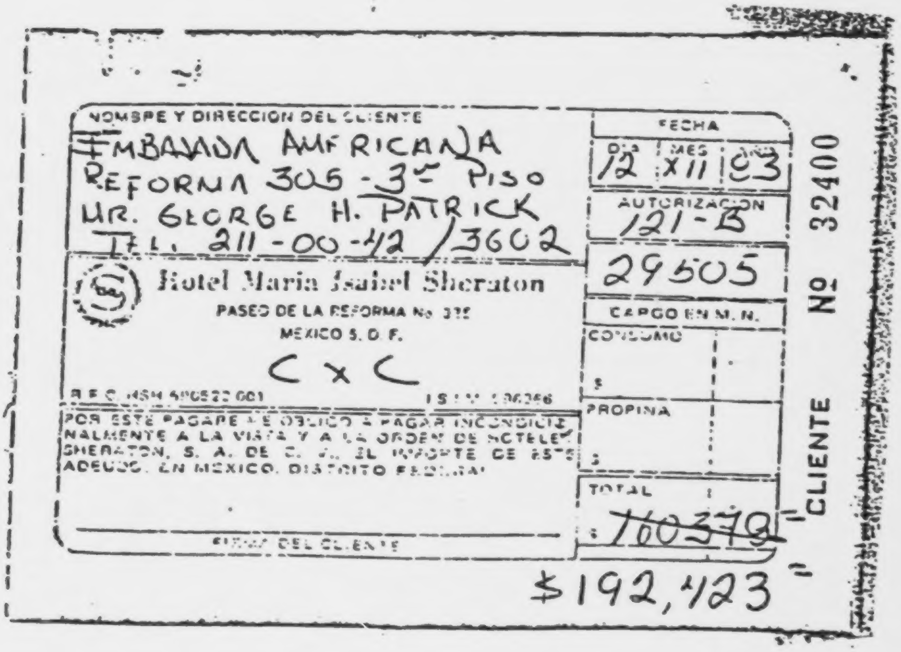
Total 192,423 =

Tarjeta
American
Express

608676

Folio De
Cargo

Copia Para
Tarjetanabiente



NOMBRE Y DIRECCION DEL CLIENTE

EMBAJADA AMERICANA

REFORMA 305 - 3er PISO

MR. GEORGE H. PATRICK

TEL. 211-00-42 / 3602

FECHA

DIA	MES	AÑO
12	XII	83

AUTORIZACION

121-B

29505

Hotel María Isabel Sheraton

PASEO DE LA REFORMA No. 325

MEXICO 5, D. F.

C x C

R.F.C. HSH [illegible] I.S.I.M. [illegible]

POR ESTE PAGARE ME OBLIGO A PAGAR INCONDICIONALMENTE A LA VISTA Y A LA ORDEN DE HOTELES SHERATON, S. A. DE C. V., EL IMPORTE DE ESTE ADEUDO, EN MEXICO, DISTRITO FEDERAL

FIRMA DEL CLIENTE

CARGO EN M. N.

CONSUMO $

PROPINA $

TOTAL $ ~~160378~~ =

$192,423 =

Nº 32400

CLIENTE

70 ORDERS

Foods	67000=
Beberages	51930
Ice Carving	2000=
Service	17974–
Tax	18574=
Total	160378

In Dollars =

$ 1,100=

extra

Tip = $221.00

397/12

Reception for Conference ~ 45 people

$1202.64

160/F/84

Pd 1/27/84 #1230 $1202.64

Federal Emergency Management Agency
Washington, D.C. 20472

SEP -4 1984

MEMORANDUM FOR: Gerald Martin
Executive Administrator

Dennis Boyd
Comptroller

FROM: Robert C. Goffus
Inspector General

SUBJECT: Contract EMW-84-C-1543 with Triton Corporation, Costs Claimed but Allocable to Contract EMW-83-C-1227

REFERENCE: (a) Memorandum for Pat English, Chief, Research and Management Division, Office of Acquisition Management from Dr. Fritz Oelrich, Special Assistant to the Superintendent and COTR, Emergency Management Institute, of May 25, 1984

The following matter is referred to you for immediate attention.

Reference (a) brought to the attention of FEMA management that approximately $128,000 of funds have been claimed and paid to the Triton Corporation on Contract EMW-84-C-1543, which are allocable to Contract EMW-83-C-1227.

Federal Procurement Regulations (FPR's) paragraph 1-7.2024d states, 'that any time prior to final payment, the Contracting Officer may reduce payments on preceding invoice or voucher amounts which are found by the Contracting Officer not to constitute allowable cost.

The Triton Corporation has claimed and been reimbursed approximately $128,000, which are not allowable costs under Contract EMW-84-C-1543 . The adjusting of these costs from the 1984 contract would result in making available the $128,000 as additional resources under the 1984 contract. However, no additional task assignments can be issued against the contract after September 30, 1984.

INVOICE

John D. Smith, Manager
FEMA Educational Assistance Project
TRITON Corporation
1825 Connecticut Avenue, N.W.
Suite 408
Washington, D.C. 20009

Invoice for Professional Services

Description of services, including dates performed

Consulting to NETC Curriculum Development
9-1 – 9-7 1983

2 days at $ 150 per day...$ 300.00

Travel Expense plus
Expenses Incurred
(See attached detail of expenses and accompanying receipts).......$ 532.91

TOTAL DUE...$ 832.91

Please make checks payable to:
(Name) Anita Koppel
(Address) Oxford Heights
Manchester #2
Albany N.Y. 12203

Anita B. Koppel
(Consultant's Sig.)

INVOICE

John D. Smith, Manager
FEMA Educational Assistance Project
TRITON Corporation
1825 Connecticut Avenue, N.W.
Suite 408
Washington, D.C. 20009

Invoice for Professional Services

Description of services, including dates performed

Consulting to NETC Curriculum Development
9-1 – 9-7 1983

2 days at $ 150 per day..$ 300.0

Expenses Incurred
(See attached detail of expenses and accompanying receipts).......$ 577.00

TOTAL DUE..$ 877.00

Please make checks payable to:
(Name) Anita Kappel
(Address) Oxford Heights
#2
Albany, NY

Anita Kappel
(Consultant's Sig.)

SEP 15

INVOICE

August 19, 1983

AUG 23

TRITON
Management and Governmental Consultants
1825 Connecticut Avenue. N.W.
Suite 408
Washington, D.C. 20009

ATT: Brigette Baumgartner
Comptroller

For Services Rendered Under FEMA Contract 795 August 10 - August 19

8 days at $175.per day	$1400.00

Deborah Frame

Deborah Frame
Federal Emergency Management Agency -Office of the Associate Director
National Emergency Training Center
Emmitsburg, Maryland 21727

charge to current
contract

INVOICE

August 10, 83

AUG 16 19

TRITON Corporation
Attn: Bridgett Baumgartner
1825 Connecticut Ave., N.W.
Suite 408
Washington, D.C. 20009

Invoice for Professional Service for FEMA Contract #795

Three days at 175.00/day:	525.00
Expenses incurred:	-0-
TOTAL DUE:	525.00

Please make payable to:

Debra Frame
P.O. Box 816
Albany, NY 12291

Debra Frame

Standard Form 1034
September 1973
4 Treasury FRM 2000
1034-115

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

VOUCHER NO. FEMA/2 #5

U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION
Federal Emergency Management Agency
Office of the Comptroller
Accounting Division
Washington, D.C. 20472

DATE VOUCHER PREPARED: January 15, 1984

CONTRACT NUMBER AND DATE: EMW-83-C-1227

REQUISITION NUMBER AND DATE:

SCHEDULE NO. #397

PAID BY

To Comp & PO 1/19/

DATE INVOICE RECEIVED

DISCOUNT TERMS

PAYEE'S ACCOUNT NUMBER

PAYEE'S NAME AND ADDRESS
TRITON Corporation
1925 Connecticut Avenue, N.W.
Suite 408
Washington D.C. 20009

SHIPPED FROM · TO · WEIGHT · GOVERNMENT B/L NUMBER

NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)	QUANTITY	UNIT PRICE COST	UNIT PRICE PER	AMOUNT
	1/1/84 to 1/15/84	For services rendered under the above referenced contract. The undersigned hereby certifies that payment of the sum claimed under the above cited contract is for appropriate purposes and is in accordance with the agreements of the contract. Richard D. Salvatierra, President				$65,333.44
(Use continuation sheet(s) if necessary)		(Payee must NOT use the space below)			TOTAL	$65,333.44

PAYMENT:
☐ COMPLETE
☐ PARTIAL
☐ FINAL
☐ PROGRESS
☐ ADVANCE

APPROVED FOR = $

BY

TITLE

EXCHANGE RATE = $1.00

DIFFERENCES – FEE 2,013.31

Amount verified; correct for 63,376.1

(Signature or initials) D.A.

Billings for Conference $616.41 and Hurst trip to Mexico

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.

(Date) (Authorized Certifying Officer) (Title)

ACCOUNTING CLASSIFICATION

Approved for provisional payment in the amount of $63,376.13 subject to audit prior to final payment

1/19/84

Certifying Officer

83-1-4160-2590-2-4830 $416

83-1-4120-2590-2-4830 $21,642.6

PAID BY

CHECK NUMBER · ON TREASURER OF THE UNITED STATES · CHECK NUMBER · ON (Name of bank)

CASH $ · DATE · PAYEE

PER

TITLE

OFFICE OF COMPTROLLER
RECEIVED
1984 JAN 19 AM 11:02

[1] When stated in foreign currency, insert name of currency.

[2] If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the space provided, over his official title.

[3] When a voucher is receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.

U.S. GOVERNMENT PRINTING OFFICE 1978

OTHER DIRECT COSTS

Temporary Help	117.25		
Telephone	111.99		
Messenger & Delivery	33.00		
Postage	24.11		
Parking	61.50		
Conference	5,616.41	Total	$5,964.26

SUBCONTRACTOR - The Lazar Institute $4,208.00

CONSULTANT FEES

CONSULTANT	TASK ORDER	AMOUNT
W. Petak	10	$ 150.00
H. DeGeneste	1	50.00
W. Burns	9	2,427.50
Birkman & Associates, Inc.	1	1,000.00
W. Kelly	10	2,000.00
W. H. Fields Video Inc.	10	258.30
H. Locke	10	450.00
R. Meachum	10	971.00
A. Muchkatel	10	150.00
C. Fisher	4	200.00
		$7,656.80

COMPANY PROPRIETARY

NOT RELEASABLE TO THE PUBLIC

Reimbursement Claim

Employee	Site Name: Location	Dates of visit	Total Days in travel status	Itinerary (From-To)	Transportation		Hotel Meals or Per Diem	Other		Total
					Method	Cost				
J. Kaufman	T.O. # 1	11/30		Houston/DC Return	Airfare Car Rental 50 miles @ $.20	498.00 219.44 10.00	146.22	Parking	14.00	887.66
W. Kelly	T.O. #10	12/21 1/6		Emmitsburg				Parking	61.50	61.50
H. Locke	T.O. #10	12/4		Seattle/DC Return	Airfare PV Auto 45 miles @ $.20	690.00 7.20	111.30	Parking	16.92	825.42
J. Hurst	T.O. #10	12/12 12/19		DC/Mexico City Return			607.00	Taxis Parking	19.00 36.00	662.00
J. Smith	T.O. #3		1	DC/Emmitsburg	PV auto 62 miles @ $.20	12.40		Parking	4.25	16.65
J. Smith	T.O. #1		1	DC/Emmitsburg Return	PV auto 52 miles @ $.20	10.40				10.[illegible]
J. Smith	T.O #4		1	DC/ Emmitsburg	PV auto 62 miles	12.40		Parking	4.25	16.65

November 28, 1983

Ms. Janet Sprague
Sales Manager
550 C Street, S.W.
Washington, D.C. 20024

Dear Ms. Sprague:

This will confirm arrangements made with you for the two day FEMA conference on November 30th and December 1, 1983. Please invoice TRITON Corporation for all charges incured.

Please send all invoices to the attention of the undersign. Thank you for your cooperation and assistance.

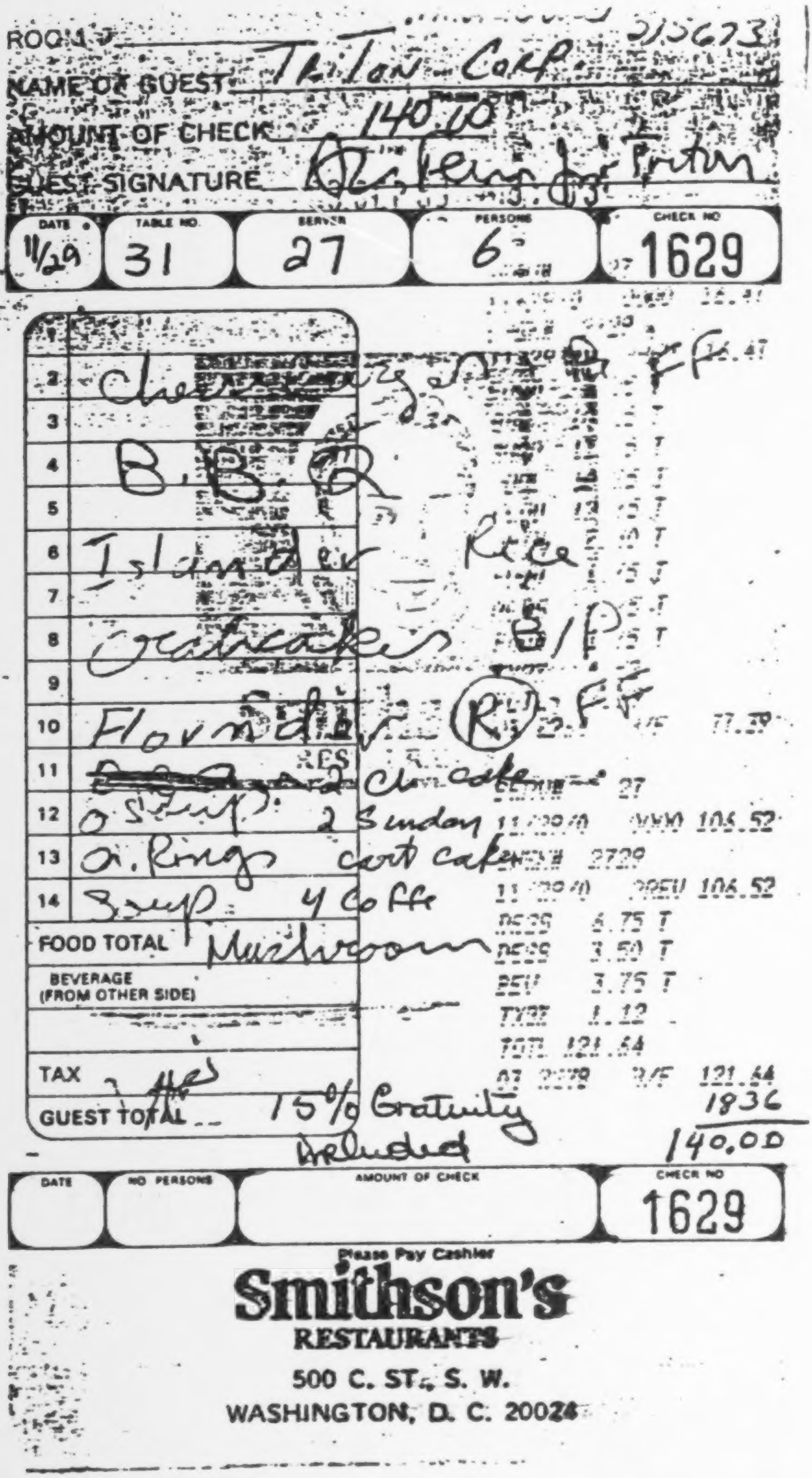
Sincerely,

Bridgett Baumgartner

Bridgett Baumgartner
Comptroller

cc: Mr. Albert Ferri, Jr.
Ms. Julie Hurst

TRITON
1825 Connecticut Ave. N.W., Suite 408, Washington, D.C. 20009 (202) 332-8310



ROOM 215673

NAME OF GUEST Triton Corp.

AMOUNT OF CHECK 140.00

GUEST SIGNATURE [illegible] for Triton

DATE	TABLE NO.	SERVER	PERSONS	CHECK NO
11/29	31	27	6	1629

1		
2	Cheeseburger FF	16.47
3		
4	B.B.Q	
5		
6	Islander Rice	
7		
8	Crabcakes B/P	
9		
10	Flounder Sdwich Ⓡ FF	77.39
11	~~[illegible]~~ 2 Ch. cake	27
12	O. Soup 2 Sunday	11/29/0 106.52
13	O. Rings carr cake	2729
14	Soup 4 Coffe	11/29/0 PREV 106.52
FOOD TOTAL	Mushroom	DESS 6.75 T DESS 3.50 T
BEVERAGE (FROM OTHER SIDE)		BEV 3.75 T
		TX 1.12 TOTL 121.64
TAX		07 2729 121.64
GUEST TOTAL	15% Gratuity included	1836 140.00

DATE	NO PERSONS	AMOUNT OF CHECK	CHECK NO
			1629

Please Pay Cashier

Smithson's
RESTAURANTS
500 C. ST., S. W.
WASHINGTON, D. C. 20024

ROOM # [illegible]

NAME OF GUEST Triton Corporation

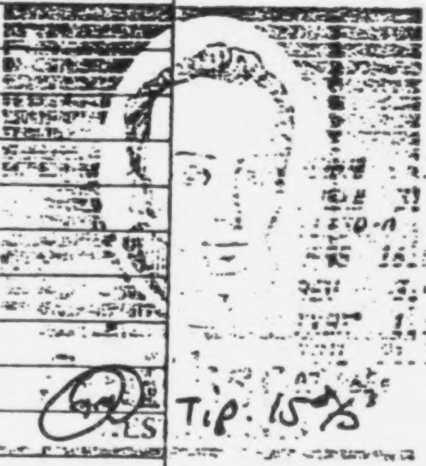
Please Print

AMOUNT OF CHECK

GUEST SIGNATURE

DATE	TABLE NO.	SERVER	PERSONS	CHECK NO
		31		0670

1	
2	1
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
FOOD TOTAL	
BEVERAGE (FROM OTHER SIDE)	
TAX	
GUEST TOTAL	



Tip: 15%

326

24.65

21 39

DATE	NO PERSONS	AMOUNT OF CHECK	CHECK NO
			0670

Please Pay Cashier

Smithson's
RESTAURANTS
500 C. ST., S. W.
WASHINGTON, D. C. 20024

FIVE HUNDRED C STREET CORPORATION

BANQUET EVENT ORDER

DAY AND DATE OF FUNCTION Wednesday, November 30, 1983

ORGANIZATION FEMA

PERSON IN CHARGE Mary Ellis, Jim Dolton for charges: Julie Hurst

ADDRESS Bill: Triton Corporation, 1825 Connecticut Ave., Suite 408 NW WDC 20009

TELEPHONE 332-8310 ROOM Clark

TIME 6pm-8pm TYPE OF FUNCTION Reception

NO. COVERS 150 ~~80~~ ~~at maximum~~ NO. GTD.

PRICE BILLING ARRANGEMENTS Master

ROOM SET-UP

Clark

Podium & mike

MENU

2 bartenders

Cash bar

House brands:

Highballs @ $2.75

Beer & wine @ $2

Soft drinks @$1.50

200 ~~100~~ Swedish meatballs @ $75 per 100

150 ~~100~~ chicken drumettes @ $75 per 100

150 ~~100~~ cocktail hotdogs @ $75 per 100

2 Cheese tray with nuts, fruits & crackers @ $85

2x Assorted finger roll sandwiches $125

Veg. tray with dip $85

100 Sausage stuffed mushrooms

Smithson's
RESTAURANTS

Located in CAPITOL HOLIDAY INN
550 C STREET, S.W. • WASHINGTON, D.C. 20024
(202) 488-1880 or 479-4000

Banquet Check

for -Fema

Date 11/30/83

Customer TRITON Corporation

Organization Mrs. Bridgett Baumgartner

Address 1825 Connecticut Ave., Suite 408

City Washington, D.C. 20009

Phone 332-3310

method of Payment cash☐ check☐ credit card☐ direct bill☐

Advance Deposit $ ____________ Master Acct ☒ # 315673

Room	COVERS	EACH	TOTAL	
Cash Bar				
House Brands	175	9.50	1662.00	
2 Hours				

Sub Total 1662.00

Gratuity [illegible]

Tax [illegible]

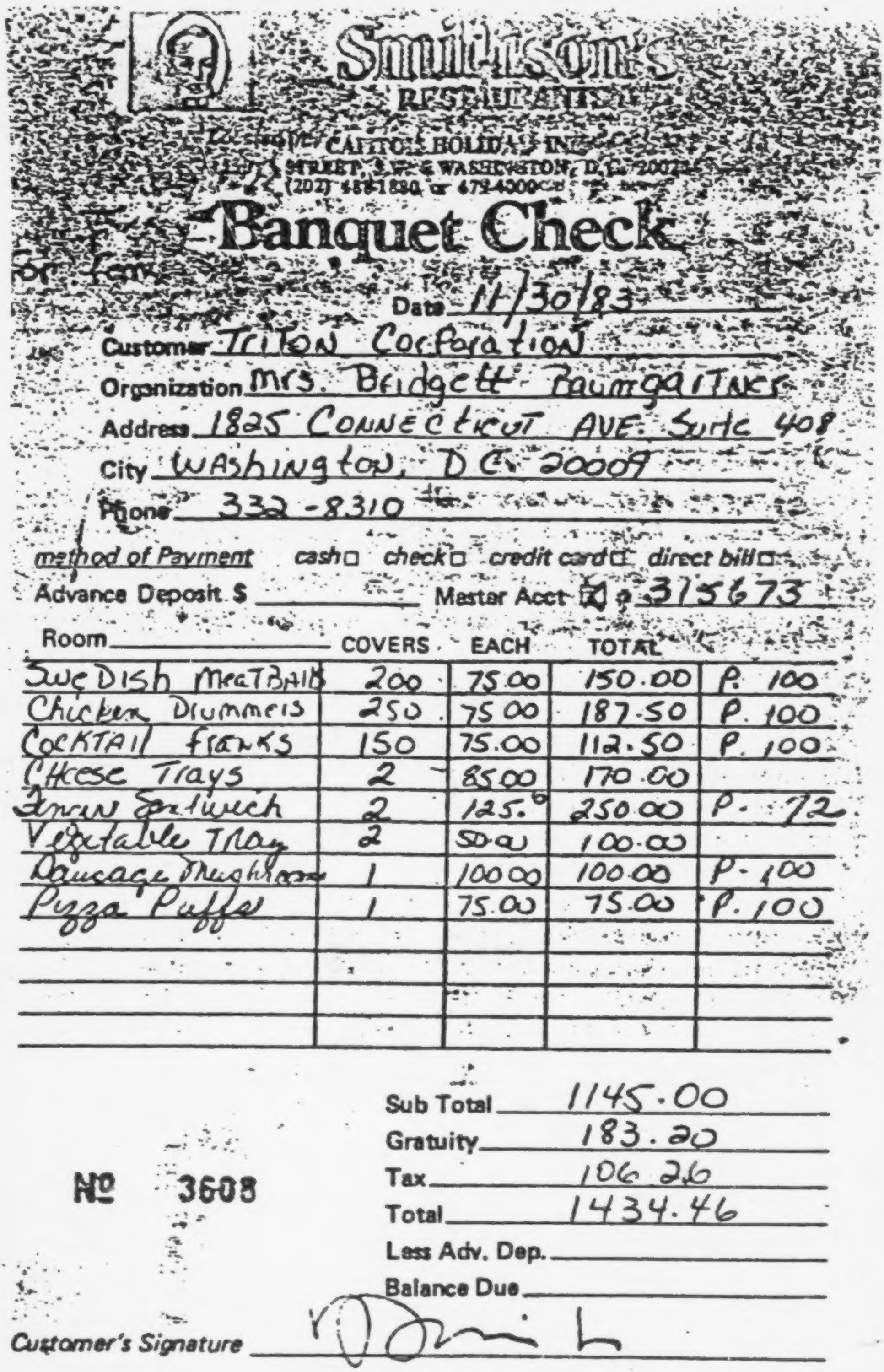
Total 2083.76

Less Adv. Dep. ____________

Balance Due ____________

[illegible] 3509

Customer's Signature ____________



Smithson's
RESTAURANTS
CAPITOL HOLIDAY INC.
[illegible] STREET, S.W. • WASHINGTON, D.C. [illegible]
(202) 488-1880 or 479-4000

Banquet Check

Date 11/30/83
Customer Triton Corporation
Organization Mrs. Bridgett Baumgartner
Address 1825 Connecticut Ave. Suite 408
City Washington, D.C. 20009
Phone 332-8310

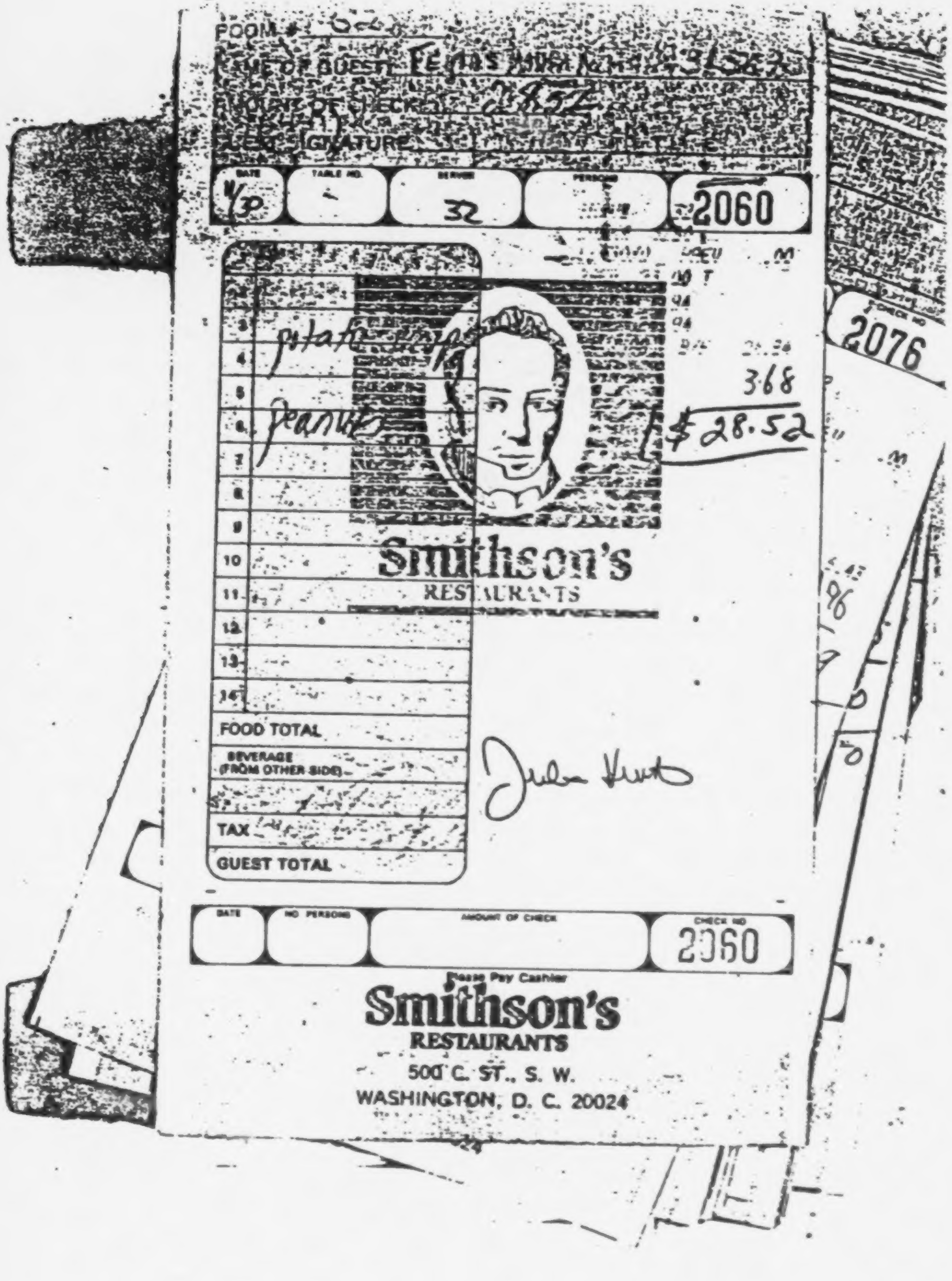
method of Payment cash ☐ check ☐ credit card ☐ direct bill ☐
Advance Deposit $ ______ Master Acct ☒ # 315673

Room	COVERS	EACH	TOTAL	
Swedish Meatballs	200	75.00	150.00	P. 100
Chicken Drummers	250	75.00	187.50	P. 100
Cocktail Franks	150	75.00	112.50	P. 100
Cheese Trays	2	85.00	170.00	
Finger Sandwich	2	125.00	250.00	P. 72
Vegetable Tray	2	50.00	100.00	
Sausage Mushrooms	1	100.00	100.00	P. 100
Pizza Puffs	1	75.00	75.00	P. 100

Sub Total 1145.00
Gratuity 183.20
Tax 106.26
Total 1434.46
Less Adv. Dep. ______
Balance Due ______

№ 3608

Customer's Signature ______



ROOM # [illegible]

NAME OF GUEST [illegible]

AMOUNT OF CHECK 2852

GUEST SIGNATURE [illegible]

DATE	TABLE NO.	SERVER	PERSONS	
11/30	-	32		2060

3 potato chips

6 peanuts

3.68

$28.52

FOOD TOTAL

BEVERAGE (FROM OTHER SIDE)

TAX

GUEST TOTAL

Julia Hunt

Smithson's
RESTAURANTS

DATE	NO PERSONS	AMOUNT OF CHECK	CHECK NO
			2060

Please Pay Cashier
Smithson's
RESTAURANTS
500 C. ST., S. W.
WASHINGTON, D. C. 20024

2076

FIVE HUNDRED C STREET CORPORATION

BANQUET EVENT ORDER

DAY AND DATE OF FUNCTION Thursday, December 1, 1983

ORGANIZATION FEMA

PERSON IN CHARGE Mary Ellis, Jim Dolton

ADDRESS 500 C Street, SW Bill: Triton Corporation, 1825 Conn. Ave., NW, Suite 408, Washington 20009

TELEPHONE 287-0811 (Mary) 332-8310 (Julie) ROOM Clark, Lewis

TIME 7:30am-5pm TYPE OF FUNCTION Meeting

NO. COVERS 80 NO. GTD.

PRICE $200 BILLING ARRANGEMENTS Master

ROOM SET UP

7:30am	Registration table, 2 chairs in Foyer
8:30am-5pm	Clark S/R-80, podium & mike

MENU

7:30am	Continental breakfast - $3.25++ Serve inside if possible
10 am	Coffee, tea, sanka - .95++
12noon	Luncheon: $10.25++ Haber-dasher buffet served at rounds dessert
3:15pm	Coffee & asst. sodas $1.25++

Smithson's
RESTAURANTS

Located in CAPITOL HOLIDAY INN
550 C STREET, S.W. • WASHINGTON, D.C. 20024
(202) 488-1880 or 479-4000

Banquet Check

Date 12/1/83

Customer Triton Corporation

Organization Ms Bridgett Baumgartner

Address 1825 Connecticut Ave, N.W. Suite 405

City Washington, D.C. 20009

Phone 287-0811

method of Payment cash ☐ check ☐ credit card ☐ direct bill ☐

Advance Deposit $ ______ Master Acct ☑ # 315673

Room	COVERS	EACH	TOTAL	
Continental Bkft	90	3 25		292.50
Coffee	90	95		85.50
Chicken	85	10 25		871.25
Coffee & Sodas	90	1 25		112.50

Sub Total 1361.75

Gratuity 217.88

Tax 126.37

Total 1706.00

Less Adv. Dep. ______

Balance Due ______

№ 3603

Customer's Signature ______

Smithson's
RESTAURANTS

Located in CAPITOL HOLIDAY INN
550 C STREET, S.W. • WASHINGTON, D.C. 20024
(202) 488-1880 or 479-4000

Banquet Check

For Fema [illegible]

Date 12/1/83

Customer [illegible]

Organization [illegible]

Address 1?2 [illegible]

City Washington [illegible]

Phone [illegible]

method of Payment *cash* ☐ *check* ☐ *credit card* ☐ *direct bill* ☐

Advance Deposit $ ______ Master Acct ☒ # [illegible]

Room ______	COVERS	EACH	TOTAL	
[illegible]			[illegible]	

Nº 3810

Sub Total ______

Gratuity ______

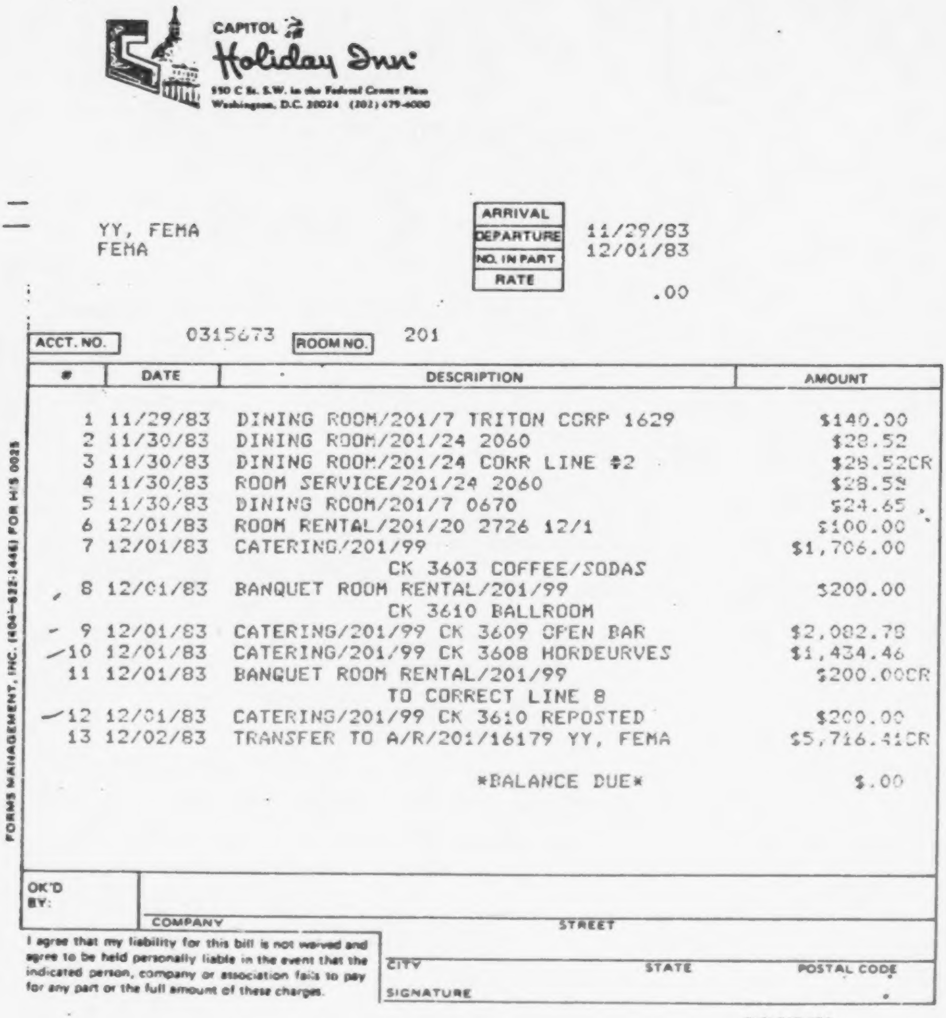
Tax ______

Total ______

Less Adv. Dep. ______

Balance Due ______

Customer's Signature ______



CAPITOL
Holiday Inn
950 C St. S.W. in the Federal Center Plaza
Washington, D.C. 20024 (202) 479-4000

YY, FEMA
FEMA

ARRIVAL	11/29/83
DEPARTURE	12/01/83
NO. IN PART	
RATE	.00

ACCT. NO. 0315673 ROOM NO. 201

#	DATE	DESCRIPTION	AMOUNT
1	11/29/83	DINING ROOM/201/7 TRITON CORP 1629	$140.00
2	11/30/83	DINING ROOM/201/24 2060	$28.52
3	11/30/83	DINING ROOM/201/24 CORR LINE #2	$28.52CR
4	11/30/83	ROOM SERVICE/201/24 2060	$28.52
5	11/30/83	DINING ROOM/201/7 0670	$24.65
6	12/01/83	ROOM RENTAL/201/20 2726 12/1	$100.00
7	12/01/83	CATERING/201/99 CK 3603 COFFEE/SODAS	$1,706.00
8	12/01/83	BANQUET ROOM RENTAL/201/99 CK 3610 BALLROOM	$200.00
9	12/01/83	CATERING/201/99 CK 3609 OPEN BAR	$2,082.78
10	12/01/83	CATERING/201/99 CK 3608 HORDEURVES	$1,434.46
11	12/01/83	BANQUET ROOM RENTAL/201/99 TO CORRECT LINE 8	$200.00CR
12	12/01/83	CATERING/201/99 CK 3610 REPOSTED	$200.00
13	12/02/83	TRANSFER TO A/R/201/16179 YY, FEMA	$5,716.41CR
		BALANCE DUE	$.00

FORMS MANAGEMENT, INC. (404—633-1446) FOR HI'S 0025

OK'D BY:

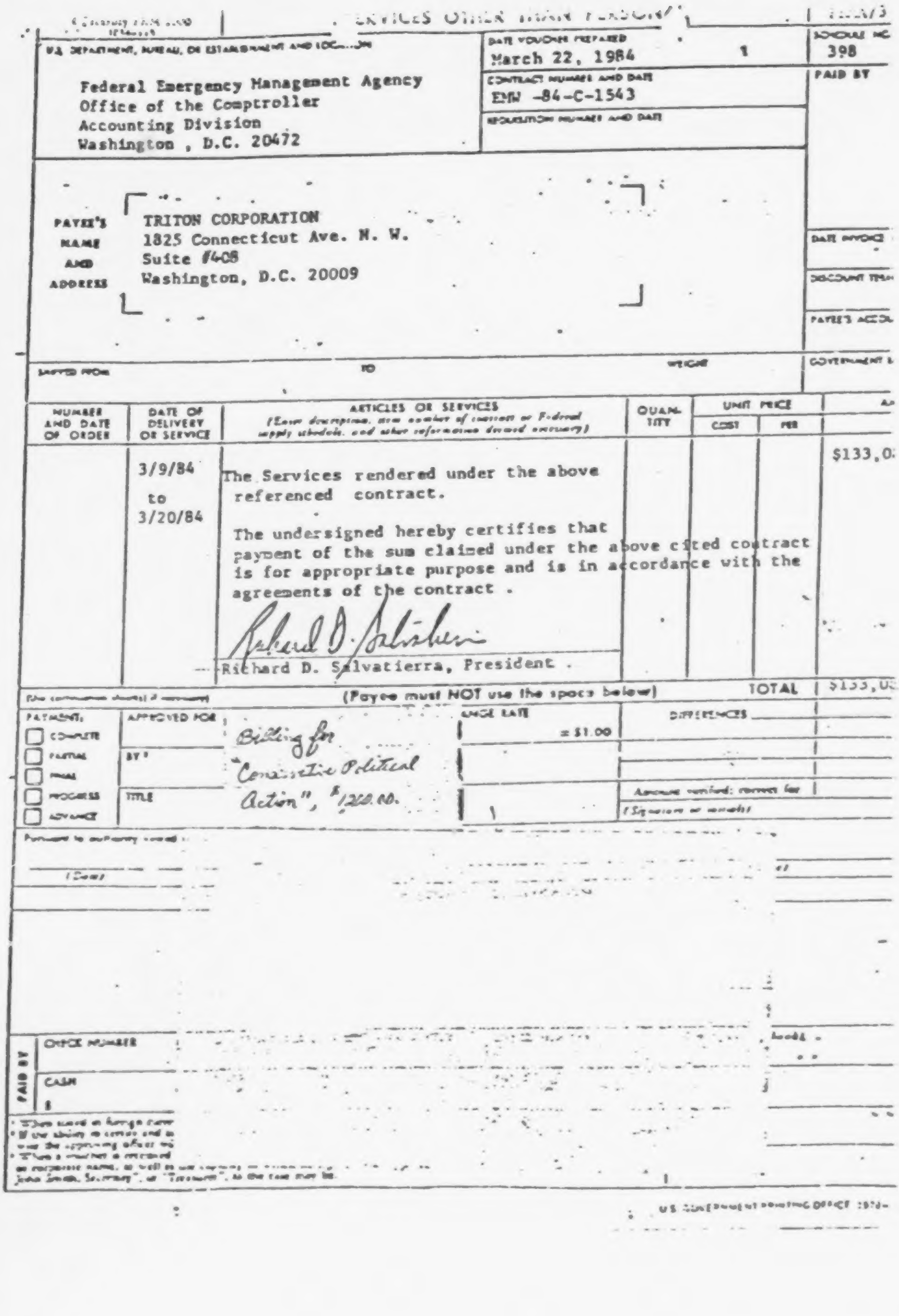
COMPANY

STREET

CITY STATE POSTAL CODE

SIGNATURE

I agree that my liability for this bill is not waived and agree to be held personally liable in the event that the indicated person, company or association fails to pay for any part or the full amount of these charges.



SERVICES OTHER THAN PERSONAL

U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION

Federal Emergency Management Agency
Office of the Comptroller
Accounting Division
Washington , D.C. 20472

DATE VOUCHER PREPARED: March 22, 1984

CONTRACT NUMBER AND DATE: EMW -84-C-1543

REQUISITION NUMBER AND DATE:

SCHEDULE NO.: 398

PAID BY

PAYEE'S NAME AND ADDRESS

TRITON CORPORATION
1825 Connecticut Ave. N. W.
Suite #408
Washington, D.C. 20009

DATE INVOICE

DISCOUNT TERMS

PAYEE'S ACCOUNT

GOVERNMENT B/L

SHIPPED FROM | TO | WEIGHT

NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)	QUANTITY	UNIT PRICE COST	UNIT PRICE PER	AMOUNT
	3/9/84 to 3/20/84	The Services rendered under the above referenced contract. The undersigned hereby certifies that payment of the sum claimed under the above cited contract is for appropriate purpose and is in accordance with the agreements of the contract . Richard D. Salvatierra, President .				$133,0
		(Payee must NOT use the space below)			TOTAL	$133,0

PAYMENT:
☐ COMPLETE
☐ PARTIAL
☐ FINAL
☐ PROGRESS
☐ ADVANCE

APPROVED FOR

BY

TITLE

Billing for "Conservative Political Action", $1200.00.

EXCHANGE RATE = $1.00

DIFFERENCES

Amount verified; correct for

(Signature or initials)

(Date)

PAID BY: CHECK NUMBER

CASH $

U.S. GOVERNMENT PRINTING OFFICE

CONSULTANTS

NAME	TASK ORDER #	AMOUNT
D. Chamberlin	2	$ 800.00
S. Mayerhofer	3	150.00
C. Bonsar	10	728.25
Amcom Media Inc.	10	5000.00
F. Frederickson	? 3	300.00
E. Stanley	2	1000.00
? Conservative Political Action	4	1200.00 - bill not attach
F. Meehan	4	300.00
F. Beeson	? 2	200.00
R. VanDeusen	2	1250.00
G. Bradford	2	200.00
M. McCain	2	1000.00
D. Chamberlin	? 2	1000.00
D. Mitchell	10	1250.00
J. Brinkley	10	1250.00
A. Goldstein	12	1033.50
H. DeGenste	3	50.00
Safety Education Association	4	400.00
D. Smith	5	240.00
D. Nicholas	10	2000.00
H. Hulme	4	600.00
H. McKinley	4	200.00
C. Fisher	4	200.00
L. Butler	13	247.50
F. Dunphy	1	300.00
R. Van Deusen	4	1000.00
? T. Ryan	7	450.00
C. Heilig	4	400.00
E. Carroll	4	1000.00
D. Smith	12	240.00
State of Nevada	12	112.50
N. Kingsley	12	1000.00
Total Audio-Visual	13	440.60
L. Butler	13	122.73
	Total	$ 25665.08

SUBJECT: Double billing by Triton on contract #1543

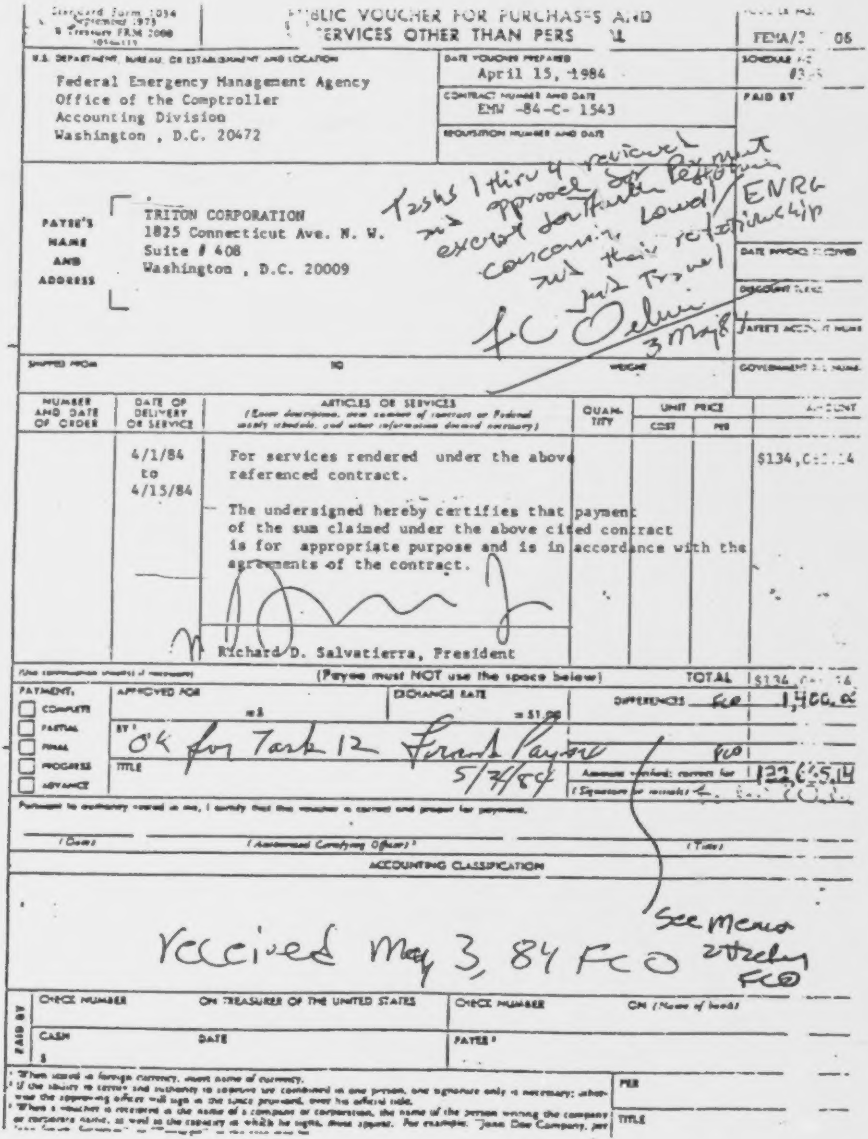
Amount involved: $500

In voucher #6 covering 4/1-15/84, Triton listed "L. Carter, Task 10, $500" twice under consultants and included two copies of Dr. Carter's 4/2/84 billing. FEMA's project officer did not note the double billing.

I telephoned Dr. Carter at the College of Charleston's Institute for Public Affairs and Policy Studies (803-792-5737) about 9 a.m. today and asked if he was paid for 2.5 or 5 days of preparation and if he had submitted one ~~as~~ or two billings dated April 2, 1984. Dr. Carter said that he thought he had been paid for 2.5 days. At my request, he checked his records and telephoned back. He said that he submitted one billing on April 2 and was paid for 2.5 days.

Janice Rothlauf

Auditor-Detailee to Subcommittee



Standard Form 1034 Revised September 1973 & Treasury FRM 2000 1034-115

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

VOUCHER NO. FEMA/3[illegible]06

U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION
Federal Emergency Management Agency
Office of the Comptroller
Accounting Division
Washington , D.C. 20472

DATE VOUCHER PREPARED: April 15, 1984

CONTRACT NUMBER AND DATE: EMW -84-C- 1543

REQUISITION NUMBER AND DATE:

SCHEDULE NO. #3[illegible]

PAID BY

PAYEE'S NAME AND ADDRESS
TRITON CORPORATION
1825 Connecticut Ave. N. W.
Suite # 408
Washington , D.C. 20009

Tasks 1 thru 4 reviewed and approved for payment except for further [illegible] concerning Lowell/ENRG and their relationship and travel
FC [illegible]
3 May 84

DATE INVOICE RECEIVED

DISCOUNT TERMS

PAYEE'S ACCOUNT NUMBER

SHIPPED FROM | TO | WEIGHT

GOVERNMENT B/L NUMBER

NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)	QUANTITY	UNIT PRICE COST	UNIT PRICE PER	AMOUNT
	4/1/84 to 4/15/84	For services rendered under the above referenced contract. The undersigned hereby certifies that payment of the sum claimed under the above cited contract is for appropriate purpose and is in accordance with the agreements of the contract. Richard D. Salvatierra, President				$134,0[illegible].14

(Use continuation sheet(s) if necessary) (Payee must NOT use the space below) TOTAL $134,[illegible]

PAYMENT:
☐ COMPLETE
☐ PARTIAL
☐ FINAL
☐ PROGRESS
☐ ADVANCE

APPROVED FOR = $ | EXCHANGE RATE = $1.00 | DIFFERENCES FCO 1,400.00

BY: OK for Task 12 Forrest Payne 5/7/84 FCO

TITLE

Amount verified; correct for 122,[illegible]5.14
(Signature or initials) [illegible]

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.

(Date) (Authorized Certifying Officer) (Title)

ACCOUNTING CLASSIFICATION

Received May 3, 84 FCO

See memo attached FCO

PAID BY: CHECK NUMBER | ON TREASURER OF THE UNITED STATES | CHECK NUMBER | ON (Name of bank)

CASH $ | DATE | PAYEE

[1] When stated in foreign currency, insert name of currency.
[2] If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the space provided, over his official title.
[3] When a voucher is receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per [illegible]"

PER

TITLE

FEMA/3 #06
#398

CONSULTANTS	TASK #	AMOUNTS
D. Mitchell	10	$ 250.00
J. Mitchell	2	200.00
C. Roberts	12	1600.00
N. Henry	10	150.00
C. Rubin	5	1500.00
S. Rogers	2	400.00
D. Brower	2	800.00
L. Haley	10	150.00
J. Contessa	2	700.00
A. Goldstein	12	265.00
D. Nicholas	10	1800.00
D. Wild	2	200.00
W.Petax	2	600.00
✓R. Whelan	10	500.00
✓C. McKenna	10	500.00
✓J. Witte	10	500.00
✓G. Mitchell	10	500.00
✓J. Laplante	10	500.00
✓J. Choon Kim	10	500.00
A. Goldstein	12	92.75
A. Goldstein	12	195.55
D. Gow	10	150.00
C. Fisher	2	200.00
✓B. Cigler	10	500.00
✓D. Godschalk	10	500.00
✓B. Dowan (Downes?)	10	500.00
✓M. Charles	10	500.00
✓L. Carter	10	500.00
✓J. Salmon	10	500.00
✓G. Rieger	10	500.00
✓L. Ruchelman	10	500.00
✓H. Wolf	10	500.00
✓P. May	10	500.00
✓A. Meeshkatel	10	500.00
✓R. Smith	10	500.00
✓J. Corbett	10	500.00
✓J. Goldsmith	10	500.00
✓W. Kelly	10	500.00
✓W. Waugh	10	500.00
✓S. Wyman	10	500.00
Public Production	12	462.50
✓L. Carter	10	500.00
L. Hogan	12	5500.00
Total		$ 27,215.80

✓ = 2½ days at $200 per day to prepare presentations for various courses, workshops.

College of Charleston
Charleston, South Carolina 29424

Institute for Public Affairs and Policy Studies
Office of the MPA Director

April 2, 1984

John D. Smith, Manager
FEMA Educational Assistance Program
TRITON Corporation
1825 Connecticut Avenue
Suite 408
Washington, D.C.
20009

Invoice for Professional Services: 5/30-6/2

2.5 days of preparation for the FEMA-NASPAA Faculty Workshop @ $200 per day
$500

Total Due.. $500

Please make checks payable to:

Luther F. Carter
Institute for Public Affairs and Policy Studies
College of Charleston
Charleston, South Carolina 29424

Luther F. Carter

OK JDS
398110

College of Charleston
Charleston, South Carolina 29424

Institute for Public Affairs and Policy Studies
Office of the MPA Director

April 2, 1984

John D. Smith, Manager
FEMA Educational Assistance Program
TRITON Corporation
1825 Connecticut Avenue
Suite 408
Washington, D.C.
20009

Invoice for Professional Services: 5/30-6/2

2.5 days of preparation for the FEMA-NASPAA Faculty Workshop @ $200 per day $500

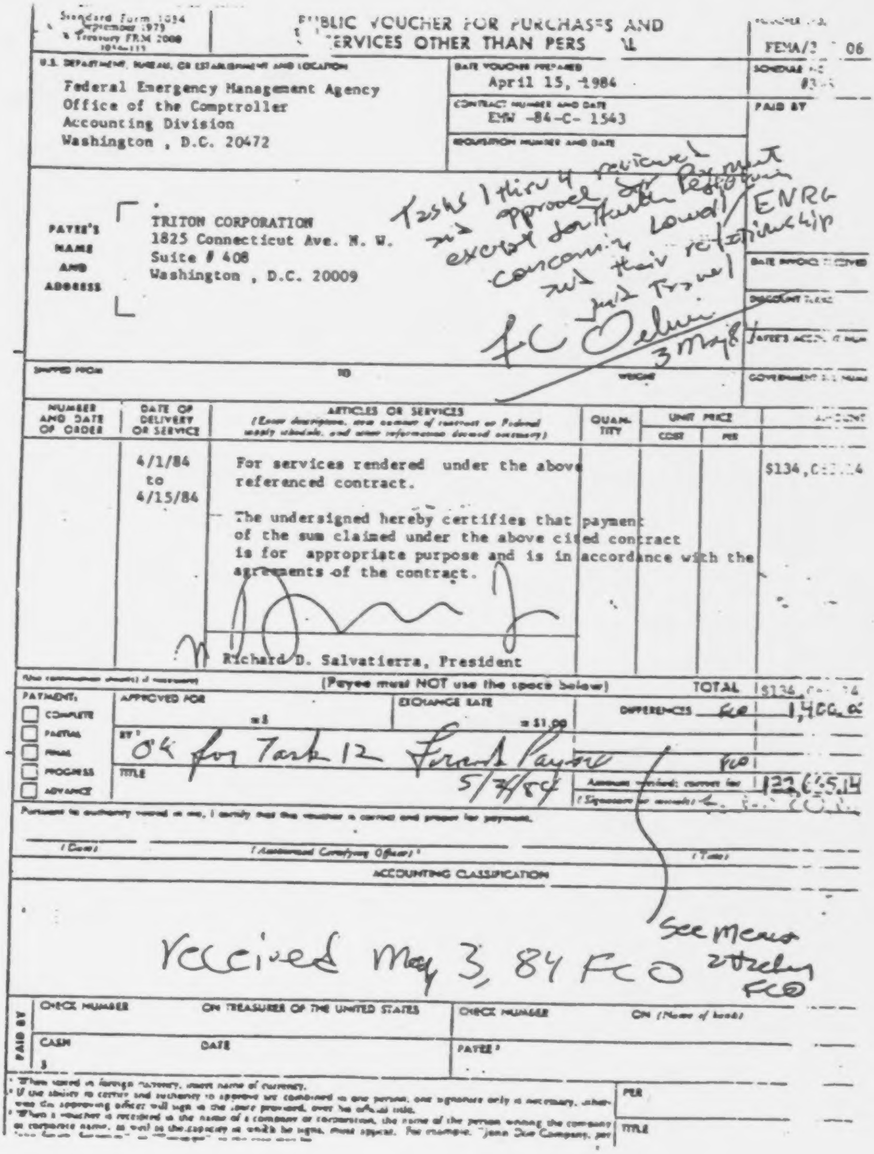
Total Due.. $500

Please make checks payable to:

Luther F. Carter
Institute for Public Affairs and Policy Studies
College of Charleston
Charleston, South Carolina 29424

Luther F. Carter

OK JDS
398110



Standard Form 1034
September 1973
& Treasury FRM 2000
1034-115

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

FEMA/3 06

U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION

Federal Emergency Management Agency
Office of the Comptroller
Accounting Division
Washington , D.C. 20472

DATE VOUCHER PREPARED
April 15, 1984

SCHEDULE NO.
#3

CONTRACT NUMBER AND DATE
EMW -84-C- 1543

PAID BY

REQUISITION NUMBER AND DATE

PAYEE'S NAME AND ADDRESS

TRITON CORPORATION
1825 Connecticut Ave. N. W.
Suite # 408
Washington , D.C. 20009

Tasks 1 thru 4 reviewed and approved for Payment except for further review concerning Lowell/ENRG relationship and their travel

FC Oelwin
3 May 84

DATE INVOICE RECEIVED

DISCOUNT TERMS

PAYEE'S ACCOUNT NUMBER

SHIPPED FROM

TO

WEIGHT

GOVERNMENT B/L NUMBER

NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES	QUANTITY	UNIT PRICE COST	UNIT PRICE PER	AMOUNT
	4/1/84 to 4/15/84	For services rendered under the above referenced contract. The undersigned hereby certifies that payment of the sum claimed under the above cited contract is for appropriate purpose and is in accordance with the agreements of the contract. Richard D. Salvatierra, President				$134,0[illegible]4

(Payee must NOT use the space below)

TOTAL $134,[illegible]4

PAYMENT:
☐ COMPLETE
☐ PARTIAL
☐ FINAL
☐ PROGRESS
☐ ADVANCE

APPROVED FOR
= $

EXCHANGE RATE
= $1.00

DIFFERENCES FCO 1,400.00

BY
OK for Task 12 Forrest Payne
5/7/84

TITLE

FCO

Amount verified; correct for 122,645.14

(Signature or initials)

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.

(Date) (Authorized Certifying Officer) (Title)

ACCOUNTING CLASSIFICATION

Received May 3, 84 FCO

See memo attached FCO

PAID BY

CHECK NUMBER ON TREASURER OF THE UNITED STATES

CHECK NUMBER ON (Name of bank)

CASH
$

DATE

PAYEE

PER

TITLE

When stated in foreign currency, insert name of currency.

If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the space provided, over his official title.

When a voucher is receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.

FEMA/3 #06
#398

CONSULTANTS	TASK #	AMOUNTS
D. Mitchell	10	$ 250.00
J. Mitchell	2	200.00
G. Roberts	12	1600.00
N. Henry	10	150.00
C. Rubin	5	1500.00
S. Rogers	2	400.00
D. Brower	2	800.00
L. Haley	10	150.00
J. Contessa	2	700.00
A. Goldstein	12	265.00
—D. Nicholas	10	1800.00
D. Wild	2	200.00
W.Petax	2	600.00
✓R. Whelan	10	500.00
✓C. McKenna	10	500.00
✓J. Witte	10	500.00
✓G. Mitchell	10	500.00
✓J. Laplante	10	500.00
✓J. Choon Kim	10	500.00
A. Goldstein	12	92.75
A. Goldstein	12	195.55
D. Gow	10	150.00
C. Fisher	2	200.00
✓B. Cigler	10	500.00
✓D. Godschalk	10	500.00
✓B. Dowan (Downes?)	10	500.00
✓M. Charles	10	500.00
✓-L. Carter	10	500.00
✓ J. Salmon	10	500.00
✓G. Rieger	10	500.00
✓L. Ruchelman	10	500.00
✓H. Wolf	10	500.00
✓P. May	10	500.00
✓A. Meeshkatel	10	500.00
✓R. Smith	10	500.00
✓J. Corbett	10	500.00
✓J. Goldsmith	10	500.00
✓W. Kelly	10	500.00
✓W. Waugh	10	500.00
✓S. Wyman	10	500.00
Public Production	12	462.50
✓-L. Carter	10	500.00
✓ L. Hogan	12	5500.00
	Total	$ 27,215.80

✓ = 2½ days at $200 per day to prepare presentations for various courses, workshops.

FEMA/3 # 06

REIMBURSEMENT CLAIM

ployee	Site Name: Location	Dates of Visit	Total Days in travel status	Itinerary (From-To)	Transportation		Hotel Meals or Per Diem	Other	Total
					Method	Cost			
L Haley	10	3/15	1	Pittsburgh D.C. return			Hotel64.8(Meals 10.0(	Taxis 27.00	101.80
F. Meehan	2	3/1	1	Rockville/ Emmitsburg return	P.V.Auto @120mile @.20¢	24.00			24.00
D. Nicholas	10	2/6-2/8	2	Reno/ LA Return	Airfare	158.00	Per diem 150.00 Meal 5.00		313.00
L. Hogan	12	2/24 3/1-3/2- 3/9	4	Emmitsburg Washington return	PV.Auto 640mile @ .20¢	128.00		Parking 22.00	150.00
J. Smith	1 & 12 4 10							STAFF TRAVEL 184.80	184.80
D. .rwin	2	3/5 3/9	4	Chicago Sacramento return	P.V.Auto 36miles @.20¢ Airfare	7.20 578.00	Meals 42.25	TAXIS 22.20	649.65
D. Wild	2	3/7	1	LA/BWI/ Return	Airfare	719.00	Meals 11.00		730.00
W. Petak	2	3/19- 3/23	3	LA/D.C./ Return	Airfare	846.00	Meals 33.00		879.00
				Subtotal		$2,460.20	$ 316.05	$ 256 --	$ 3,032.25

John D. Smith, Manager
FEMA Educational Assistance Project
TRITON Corporation
1825 Connecticut Avenue, N.W.
Suite 408
Washington, D.C. 20009

Invoice for Professional Services

Description of services; including dates performed

Through March 21, 1984
Development for SEPC Course
on State Legislators & EM
4/11-13/84

9 days at $ 200. per day..................................$ 1800.00

Expenses Incurred
(See attached detail of expenses and accompanying receipts).......$ 313.00

TOTAL DUE...$ ~~1800.00~~
$2,113.00

Please make checks payable to:
(Name)
(Address)

David D. Nicholas
Post Office Box 5319
Incline Village, Nevada 89450

(Consultant's Sig.)

OK JDS 398/10

Standard Form 1034
September 1973
4 Treasury FRM 2000
1034-113

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

VOUCHER NO. FEMA/3 #09

U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION

Federal Emergency Management Agency
Office of the Comptroller
Accounting Division
Washington , D.C. 20472

DATE VOUCHER PREPARED: June 1,1984

CONTRACT NUMBER AND DATE: EMW 84-C-1543

REQUISITION NUMBER AND DATE:

SCHEDULE NO. #398

PAID BY

DATE INVOICE RECEIVE

DISCOUNT TE

PAYEE'S ACCOUNT NU

GOVERNMENT B/L NUM

PAYEE'S NAME AND ADDRESS

TRITON Corporation
1255 23rd Street N. W.
Suite # 275
Washington, D.C. 20037

SHIPPED FROM | TO | WEIGHT

NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)	QUANTITY	UNIT PRICE		AMOUN
				COST	PER	
	5/16/84 to 5/31/84	For services rendered under the above referenced contract. The undersigned hereby certifies that payment of the sum claimed under the above cited contract is for appropriate purpose and is in accordance with the agreements of the contract. Richard D. Salvatierra, President				119,511.03

(Use continuation sheet(s) if necessary) (Payee must NOT use the space below) TOTAL 119,511.03

PAYMENT:
☐ COMPLETE
☐ PARTIAL
☐ FINAL
☐ PROGRESS
☐ ADVANCE

APPROVED FOR = $

EXCHANGE RATE = $1.00

DIFFERENCES

BY [2]

TITLE

Amount verified; correct for

(Signature or initials)

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.

(Date) (Authorized Certifying Officer) [2] (Title)

ACCOUNTING CLASSIFICATION

PAID BY

CHECK NUMBER | ON TREASURER OF THE UNITED STATES | CHECK NUMBER | ON (Name of bank)

CASH $ | DATE | PAYEE [3]

PER

TITLE

[1] When stated in foreign currency, insert name of currency.

[2] If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the space provided, over his official title.

[3] When a voucher is receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.

FEMA/ 3 #09
#398

CONSULTANTS	TASK ORDER #		AMOUNTS
Shaul Rosolio	10		$1,000.00 ✓
Harry White	2		1,000.00 ✓
The Council of State Gov't	10		2,850.00 ✓
John Contessa	4		300.00 ✓
David Gold	③		2,000.00 ✓
Vincent Brannigan	1		500.00 ✓
Jeffery Mitchell	2		200.00 ✓
Jeffery Mitchell	2		2,200.00 ✓
Thomas Drabek	5		1,400.00 ✓
David Gold	③		1,600.00 ✓
T. Forbes	10		800.00 ✓
Lambert Mims	3		300.00 ✓
Desmond O'Brien	10		800.00 ✓
Richard Ruppecht	10		800.00 ✓
David Nicholas	10		2,000.00 ✓
Charles Bonser	10		1,456.56 ✓
Stanton Sloane	12		1,536.00 ✓
Herman Associates	2		400.00 ✓
Atley Peterson	2		1,200.00 ✓
Gordon Rieger	5		500.00 ✓
E. Garneo	12		450.00
D. Lewis	12		900.08 ✓
Shelly Carr	5		149.50 ✓
Fred Ringler	12		450.00 ✓
Valis Associates	12		2,205.00 ✓
Valis Associates	12		490.00 ✓
L. Peterka	2		800.00 ✓
Donald Kirwan	4		2,250.00 ✓
Alvin Goldstein	12		137.80 ✓
Alvin Goldstein	12		95.40 ✓
Grady Bray	3		200.00 ✓
		Total	$30,970.26 ✓

INVOICE

John D. Smith, Manager
FEMA Educational Assistance Project
TRITON Corporation
1825 Connecticut Avenue, N.W.
Suite 408
Washington, D.C. 20009

Invoice for Professional Services

Description of services, including dates performed

Through April 30, 1984

SEPC Conf for
State Legislatr

MAY - 1

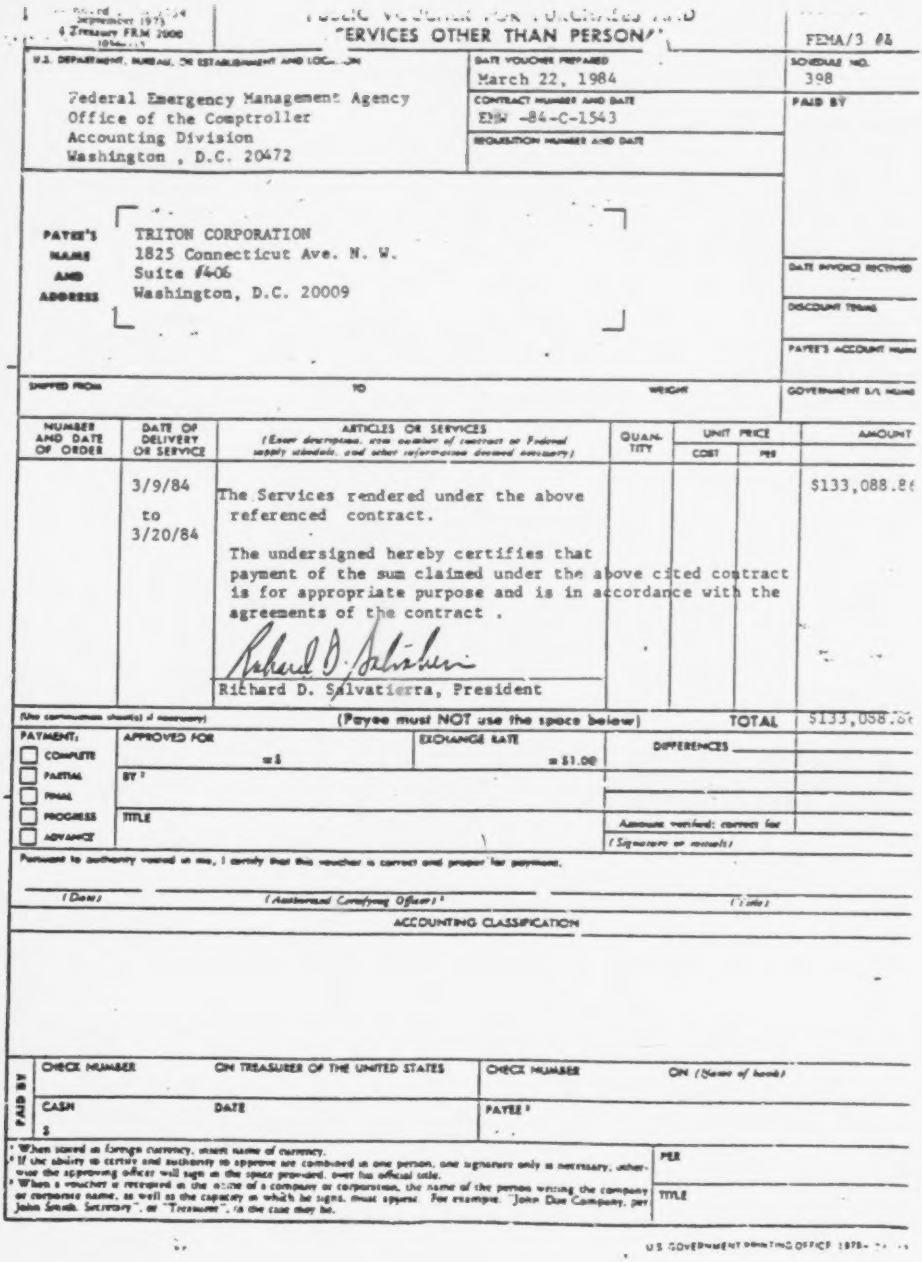
10 days at $200. per day	$ 2,000.00
Expenses Incurred (See attached detail of expenses and accompanying receipts)	$ 99.72 *
TOTAL DUE	$ 2099.72

Please make checks payable to:
(Name) David D. Nicholas
(Address) Post Office Box 5319
Incline Village, NV 89450

(Consultant's Sig.)

* Not included in Triton billing.

398/10
OK JRS



September 1973
4 Treasury FRM 2000

PUBLIC VOUCHER FOR PURCHASES AND
ERVICES OTHER THAN PERSON

FEMA/3 #6

U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION

Federal Emergency Management Agency
Office of the Comptroller
Accounting Division
Washington , D.C. 20472

DATE VOUCHER PREPARED: March 22, 1984

CONTRACT NUMBER AND DATE: EMW -84-C-1543

REQUISITION NUMBER AND DATE:

SCHEDULE NO. 398

PAID BY

PAYEE'S NAME AND ADDRESS

TRITON CORPORATION
1825 Connecticut Ave. N. W.
Suite #406
Washington, D.C. 20009

DATE INVOICE RECEIVED

DISCOUNT TERMS

PAYEE'S ACCOUNT NUMBER

SHIPPED FROM | TO | WEIGHT

GOVERNMENT B/L NUMBER

NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)	QUANTITY	UNIT PRICE COST	UNIT PRICE PER	AMOUNT
	3/9/84 to 3/20/84	The Services rendered under the above referenced contract. The undersigned hereby certifies that payment of the sum claimed under the above cited contract is for appropriate purpose and is in accordance with the agreements of the contract . Richard D. Salvatierra Richard D. Salvatierra, President				$133,088.86

(Use continuation sheet(s) if necessary) (Payee must NOT use the space below) TOTAL $133,088.86

PAYMENT:
☐ COMPLETE
☐ PARTIAL
☐ FINAL
☐ PROGRESS
☐ ADVANCE

APPROVED FOR = $

EXCHANGE RATE = $1.00

DIFFERENCES

BY [2]

TITLE

Amount verified: correct for

(Signature or initials)

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.

(Date) (Authorized Certifying Officer)[2] (Title)

ACCOUNTING CLASSIFICATION

PAID BY

CHECK NUMBER | ON TREASURER OF THE UNITED STATES | CHECK NUMBER | ON (Name of bank)

CASH $ | DATE | PAYEE [3]

[1] When stated in foreign currency, insert name of currency.

[2] If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the space provided, over his official title.

[3] When a voucher is receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.

PER

TITLE

U.S. GOVERNMENT PRINTING OFFICE 1975

CONSULTANTS

NAME	TASK ORDER #	AMOUNT
D. Chamberlin	2	$ 800.00
S. Mayerhofer	3	150.00
C. Bonsar	10	728.25
Amcom Media Inc.	10	5000.00
F. Frederickson	? 3	300.00
E. Stanley	2	1000.00
? Conservative Political Action	4	1200.00 - bill not attach
F. Meehan	4	300.00
F. Beeson	? 2	200.00
R. VanDeusen	2	1250.00
G. Bradford	2	200.00
M. McCain	2	1000.00
D. Chamberlin	? 2	1000.00
D. Mitchell	10	1250.00
J. Brinkley	10	1250.00
A. Goldstein	12	1033.50
H. DeGenste	3	50.00
Safety Education Association	4	400.00
D. Smith	5	240.00
D. Nicholas	10	2000.00
H. Hulme	4	600.00
H. McKinley	4	200.00
C. Fisher	4	200.00
L. Butler	13	247.50
F. Dunphy	1	300.00
R. Van Deusen	4	1000.00
? T. Ryan	7	450.00
C. Heilig	4	400.00
E. Carroll	4	1000.00
D. Smith	12	240.00
State of Nevada	12	112.50
N. Kingsley	12	1000.00
Total Audio-Visual	13	440.60
L. Butler	13	122.73
	Total	$ 25665.08

Bill for helicopter not listed - John Close (KTVN of Reno) $300

REIMBURSEMENT CLAIM

ployee	Site Name: Location	Dates of Visit	Total Days in travel status	Itinerary (From-To)	Transportation		Hotel Meals or Per Diem	Other	Total
					Method	Cost			
arroll	To # 4	12/5 12/9	4	Emmitsburg			55.00		55.00
. Chamberlin	To # 2	3/9	1	DC/ Atlanta	Airfare	376.00	44.00		420.00
. Fisher	To # 4	3/6- 3/7	1	Kansas City/ DC / return	Airfare	364.00	30.00		394.00
I. Hulme	To # 4	3/5- 3/9	4	Arlington / Emmitsburg			9.75		9.75
I. McKinley	To # 4	2/12- 2/14	2	San Diego DC/ return	Airfare	496.00	12.00		508.00
D. Mitchell	To # 10	2/20- 2/22	2	Emmitsburg			44.90		44.90
D. Nicholas	To # 10	2/1 2/21	20	Nevada/ DC / return	Airfare PV Auto 70 miles @ .20	434.00 14.00	99.34	Parking $4.50	551.84
J. Brinkley	To # 10	2/20 2/24	4	Emmitsburg			26.00		26.00

INVOICE

John D. Smith, Manager
FEMA Educational Assistance Project
TRITON Corporation
1825 Connecticut Avenue, N.W.
Suite 408
Washington, D.C. 20009

Invoice for Professional Services

Description of services, including dates performed

Through Feb 21, 1984
Development of SEPC workshop for state legislators and local emergency manag
2/1 - 2/21/84

10 days at $200. per day..........$ 2000.00

Expenses Incurred
(See attached detail of expenses and accompanying receipts).......$ 624.04 551.8

TOTAL DUE..........$ 2624.04

Please make checks payable to:
(Name) David B. Nicholas
(Address) P.O.Box 5319
Incline Village, NV 89450

(Consultant's Sig.)

OK JAS 398/10

Standard Form 1034
September 1973
4 Treasury FRM 2000
1034-111

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

VOUCHER NO. FEMA/2 #6

SCHEDULE NO. #397

PAID BY

U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION

Federal Emergency Management Agency
Office of the Comptroller
Accounting Division
Washington, D.C. 20472

DATE VOUCHER PREPARED January 31, 1984

CONTRACT NUMBER AND DATE EMW-83-C-1227

REQUISITION NUMBER AND DATE

PAYEE'S NAME AND ADDRESS

TRITON Corporation
1825 Connecticut Avenue, NW
Suite 408
Washington, D.C. 20009

DATE INVOICE RECEIVED

DISCOUNT TERMS

PAYEE'S ACCOUNT NUM

SHIPPED FROM | TO | WEIGHT | GOVERNMENT B/L NUM

NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)	QUANTITY	UNIT PRICE COST	UNIT PRICE PER	AMOUNT
	1/1/84 to 1/31/84	For services rendered under the above referenced contract. The undersigned hereby certifies that payment of the sum claimed under the above cited contract is for appropriate purposes and is in accordance with the agreements of the contract. Albert Ferri, Jr., Vice President				$180,839.72

(Use continuation sheet(s) if necessary)

(Payee must NOT use the space below)

TOTAL $180,839.72

PAYMENT:
☐ COMPLETE
☐ PARTIAL
☐ FINAL
☐ PROGRESS
☐ ADVANCE

APPROVED FOR = $

EXCHANGE RATE = $1.00

BY

TITLE

DIFFERENCES Fee (13,742.24
Cost (118,45

Amount verified; correct for 48,606.7

(Signature or initials)

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.

(Date) (Authorized Certifying Officer) (Title)

ACCOUNTING CLASSIFICATION

APPROVED FOR PROVISIONAL PAYMENT IN
THE AMOUNT OF $ 48,606.76 SUBJECT
TO AUDIT PRIOR TO FINAL PAYMENT.

PAID BY

CHECK NUMBER | ON TREASURER OF THE UNITED STATES | CHECK NUMBER | ON (Name of bank)

CASH $ | DATE | PAYEE

When stated in foreign currency, insert name of currency.

If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the space provided, over his official title.

When a voucher is receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.

PER

TITLE

CONSULTANT FEES

CONSULTANT	TASK ORDER #	AMOUNT
G. Ward	1	$ 640.00
W.H. Fields Video, Inc.	10	4639.40
T. Ryan	6	150.00
A. Goldstein	10	68.90
C. Bonsar	10	728.25
L. Hogan	10	4576.32
J. Laye	4	1000.00
S. Barker	4	1575.00
W. Burns	10	4396.50
G. Bently	4	200.00
G. Bradford	4	200.00
D. Chamberlin	4	1000.00
D. Frame	10	875.00
M. Ellis	10	2800.00
C. Fisher	4	200.00
C. Gibson	10	3250.00
H. Hulme	4	1000.00
A. Koppel	5	300.00
A. Koppel	10	300.00
W. Kelly	10	2500.00
J. Mitchell	4	200.00
J. Morgan	4	1000.00
P. McLaughlin	4	1000.00
D. Nicholas	10	2200.00
A. Settle	10	1213.75
R. Toft	3	1200.00
B. Turner	4	910.00
L. Haley	10	300.00
R. Van Dwusen	4	1250.00
V. Swinney	4	1000.00
D. Wild	4	200.00
Wehrman Consultants	1	14367.00
H. Whitfield	4	1000.00
S. Yount	4	1000.00

mployee	Site Name: Location	Dates of visit	Total Days in travel status	Itinerary (From-To)	Transportation		Hotel Meals or Per Diem	Other	Tota
					Method	Cost			
J.Mitchel	T.O# 4	1/12		Arbutus/ Emmitsburg/ return	PV auto 152 miles @$,20	30.40			30.4
J. Morgan	T.O. #4	1/9 1/13		Manchester, NH/ D.C./ return	Airfare	227.00	60.55		293.5
P. McLaughli	T.O.#4	1/9 1/13		PA/DC. / return	Pv auto 360 miles @$.20	72.00	55.00		127.0
D. Nicholas	T.O.#10	1/10-1/21		Reno/D.C./ return	Airfare PV auto 70 miles @$.20	505.00 14.00	120.00	Parking 6.00	645.0
A. Grese	T.O.#4	1/10 1/15		Reno/DC./ return	Airfare	439.00	72.50		511.5
A. Settle	T.O.#10	1/12 1/16		LA/D.C. / return	Airfare	459.00			459.0
R. Toft	T.O.#3	12/31-12/30		Arlington/ Emmitsbur return	PV auto 147 miles @$.20	29.40			29.4
D. Gold	T.O.#4	12/13-12/18		Portland/ D.C./ return	Airfare	533.00			533.0

INVOICE

John D. Smith, Manager
FEMA Educational Assistance Project
TRITON Corporation
1825 Connecticut Avenue, N.W.
Suite 408
Washington, D.C. 20009

Invoice for Professional Services

Description of services, including dates performed

WORKING DAYS - INCLINE VILLAGE, NV - 7
WORKING DAYS - D.C. + EMMITSBURG - 4

11 days at $200. per day..................................$ 2200.00

Expenses Incurred
(See attached detail of expenses and accompanying receipts).......$ 645.00

TOTAL DUE...$ 2845.00

Please make checks payable to:
(Name) DAVID D. NICHOLAS
(Address) P.O. Box 5319
INCLINE VILLAGE, NEVADA 89450

(Consultant's Sig.)

OK [illegible]
397/~~4~~1

BD

Standard Form 1034
September 1973
4 Treasury FRM 2000
1034-113

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

VOUCHER NO. FEMA/2 #1

U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION
Federal Emergency Management Agency
Office of the Comptroller
Accounting Division
Washington D.C. 20472

DATE VOUCHER PREPARED: October 31, 1983

CONTRACT NUMBER AND DATE: EMN-83-C-1227

REQUISITION NUMBER AND DATE:

SCHEDULE NO. #397

PAID BY
TO Compt 11/17

DATE INVOICE RECEIVED

DISCOUNT TERMS

PAYEE'S ACCOUNT NUMBER

GOVERNMENT B/L NUMBER

PAYEE'S NAME AND ADDRESS
TRITON Corporation
1825 Connecticut Avenue
Suite 408
Washington D.C. 20009

83-7-4120-2580-2-4830 $2,965.00
83-7-4130-2580-2-4830. $8,000.00
83-7-4450-2580-2-4710 $31,678.00
83-7-3512-2580-2-4810 $23,599.38

SHIPPED FROM | WEIGHT

NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)	QUANTITY	UNIT PRICE COST	UNIT PRICE PER	AMOUNT
	10/1/83 to 10/31/83	For services rendered under the above referenced contract. The Undersigned hereby certifies that payment of the sum claimed under the above cited contract is for appropriate purposes and is in accordance with the agreements of the contract. Richard D. Salvatierra Richard D. Salvatierra, President.				$ 66,242.38
(Use continuation sheet(s) if necessary)		(Payee must NOT use the space below)			TOTAL	$ 66,242.38

PAYMENT:
☐ COMPLETE
☐ PARTIAL
☐ FINAL
☐ PROGRESS
☐ ADVANCE

APPROVED FOR = $

EXCHANGE RATE = $1.00

DIFFERENCES

BY

TITLE

Amount verified; correct for

(Signature or initials)

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.

(Date) (Authorized Certifying Officer) (Title)

ACCOUNTING CLASSIFICATION

Approved for Provisional Payment in the amount of $66,242.38 subject to audit prior to final payment
11/17/83 Beverly A. Dixon
Date Contracting Officer

I certify that the services described have been provided and payment is recommended.

Warren P. Rucker 11-9-83
Warren P. Rucker, Project Officer (Date)

PAID BY
CHECK NUMBER | ON TREASURER OF THE UNITED STATES | CHECK NUMBER | ON (Name of bank)
CASH $ | DATE | PAYEE

PER

TITLE

[1] When stated in foreign currency, insert name of currency.

[2] If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the space provided, over his official title.

[3] When a voucher is receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.

CONSULTANT FEES

TASK ORDER			
4	Gorden Bentley	(2 days @ 200.00)	400.00
9	W.J. Burns	(13 days @ 242.75)	3,155.75
4	Robert Cassaday	(3 days @ 200.00)	600.00
4	Edward Carroll	(5 days @ 200.00)	1,000.00
4	John Laye	(5 days @ 200.00)	1,000.00
4	Mark H. McCain	(5 days @ 200.00)	1,000.00
5	Roy Meachum	(12 days @ 242.75)	2,913.00
4	Jeffrey Mitchell	(1 day @ 200.00)	200.00
10	David Nicholas	(4 days @ 200.00)	800.00
4	R.H. Van Deusen	(5 days @ 200.00)	1,250.00
4	Edward Volpe	(5 days @ 200.00)	1,000.00
5	W.H. Fields Video Inc.,		10,842.12
5	TV TOO Inc.,	(8 days @ 175.00)	1,400.00
	Amcom Media, Inc.,	(20 days @ 242.75)	4,855.00
5	George Washnis	(5 days @ 240.00)	1,200.00
10	Leon L. Haley (Honorarium)	(1 day @ 150.00)	150.00
5	David Herman	(4 days @ 175.00)	700.00
11	Patrick Gallagher	(5 days @ 200.00)	1,000.00
5	Roy Meachum	(10 days @ 242.75)	2,427.50
10	William Kelly	(1.5days @ 242.75)	364.13
5	Anita Koppel	(6 days @ 150.00)	900.00
			37,157.50

OTHER DIRECT COSTS

4	Reference Materials	50.52
5	Helicopter	170.00
4	Telephone	15.64
		236.16

Reimbursement Claim

Employee	Site Name: Location	Dates of visit	Total Days in travel status	Itinerary (From-To)	Transportation Method	Transportation Cost	Hotel Meals or Per Diem	Other	Total
Leon Haley T/O #10	Kansas City	10/11 to 10/13	2	Pittsburg/ Minneapolis/ Kansas City/ return	Airfare PV auto 50 miles @.20	429.81 10.00	152.88	Lemo 16.50	609.19
George Washnis T/O #5	Emmitsburg	10/13 to 10/19	5	Emmitsburg				Parking 12.75	12.75
✓ Edward A. Volpe T/O #4	Emmitsburg	10/17 to 10/21	5	San Francisco/ Del/ return	Airfare PV auto 110 miles @.20	858.00 22.00	33.00	Parking 50.00	963.00
R.H. Van Deusen T/O #4	Emmitsburg	10/17 to 1/21	5	Rockland/ Boston/ DC/return	Airfare PV auto 52 miles @.20	321.00 10.40	55.00		386.40
✓ David Nicholas T/O #10	Emmitsburg	10/24 to 10/27	4	Reno/DC/ -Reno	Airfare PV auto 145 mls @.20	650.00 29.00	36.25	Parking 9.00	7[illegible]4.25 ↑ 724.25

INVOICE

OK
FEMA #397
Task 10

John D. Smith, Manager
FEMA Educational Assistance Project
TRITON Corporation
1825 Connecticut Avenue, N.W.
Suite 408
Washington, D.C. 20009

Invoice for Professional Services

Description of services, including dates performed

Develop a conference for FEMA's Senior executive Policy Ctr.

10/24, 25; 26, 27/1983

4 days at $ 200. per day..$ 800.00

Expenses Incurred
(See attached detail of expenses and accompanying receipts).......$ 724.25

TOTAL DUE...$ 1524.25

Please make checks payable to:
(Name)
(Address)
David D Nicholas
P.O. Box 5319
Incline Village, NV 89450

(Consultant's Sig.)

MEMORDANUM FOR: Frank C. Sidella
Assistant Associate Director
Office of Programs and Academics
Fire and Training Programs

FROM: Charles M. Girard

DATE: April 16, 1984

SUBJECT: S.E.P.C. SYMPOSIUM "THE ROLE OF STATE LEGISLATORS IN EMERGENCY MANAGEMENT"

Regarding the above referenced subject, it was necessary and appropriate to cancel/postpone the symposium due to the limited number of pre-registrants who advised by April 10 that they would attend the program. In particular, at noon on April 10, only six (6) pre-registrants advised by phone with certainty that they would come. Frank Payne with Paul Watson and me in attendance phoned Fred J. Villella who accepted the recommendation to cancel the program at this time.

There were no negative repercussions in terms of the Office of Programs and Academics' role in the process. The Legislators simply were unable to attend due to pressing legislative business, sickness and personal situations that were unexpected. Due to these reasons and to insure no negative perceptions occur, the following reason was given when advising all persons involved of the decision:

> ...due to urgent legislative business, a sufficient number of legislators were unable at this time to attend the S.E.P.C. Symposium "The Role of State Legislators in Emergency Management" to permit the session to be run cost-effectively. It is, therefore, postponed until a later date.

Dave Nicholas subsequently advised that he will forward a strategy paper on his recommended next steps.

Attachment 2

Pre-Conference Registrants for "The Role of State Legislators in Emergency Management" April 11-13, 1984.

Summary:

All but one of the twenty-three pre-conference registrants were contacted. The following is a summary of the responses.

A. Not on legislator's schedule, no intention of attending = 10 (43%)

B. Planned to attend, was told conference had been canceled = 7 (30%)

C. Planned to attend but canceled = 5 (21%)

D. Could not contact = 1 (4%)

A. Robert B. Ball, Delegate Virginia
10/16 Mr. Ball, "I did not sigh up. I knew nothing about the conference."

A. Robert L. Crook, Senator Mississippi
10/11 Carolyn, Appointment Secretary. The conference was not on his calendar. The Mississippi Legislature was scheduled to be in session during the time of the conference.

A. Jerome J. Joyce, Senator Illinois
10/11 Sara, Appointment Secretary. The Senator received the information but declined. He did not plan to attend.

A. Rex Haberman, Senator Nebraska
10/12 Ann Covalt, Appointment Secretary. The conference was not on Senator Haberman's schedule.
10/15 Connie. Further checking confirmed that the conference was not on his schedule and he had not intended to attend.

A. Paul W. White, Rep. Massachusetts
10/15 Pat, secretary. There was nothing on his schedule for the dates of April 11-13, 1984. She was not his secretary at the time so the conference could have been scheduled and then erased but there is no evidence of that.

A. Ken Maddy, Senator California
10/12 Kathy, Appointment Secretary. The conference was not on the Senator's schedule. The California legislature was scheduled to meet during April 11-13 and would recess on the 14th.

A. Herschell Rosenthal, Senator California
10/12 It was not on his schedule. The Legislature was in session.

A. Newton Russell, Senator California
10/12 Kay Lynch, Appointment Secretary. The conference was not on his schedule for April 11, 12 or 13.

A. William L. Mallory, Rep. Ohio
10/12 Rep. Mallory (Speaker of the Ohio House) said, "I told them I could not attend." He was not preregistered nor was the conference on his schedule.

A. Hal Runyan, Senator Arizona
10/15 Warren Ware, Appointment Secretary. "I am 99 44/100 percent sure that he was not planning to attend."

B. David M. Travis, Rep. Wisconsin
10/15 Tracy Buffan, secretary. He was preregistered but was contacted and told that the conference had been canceled.

B. Vard J. Chatburn, Rep. Idaho
10/16 Rep. Chatburn said that he was preregistered. "They contacted me and told me the conference was canceled - not enough interest. "

B. James I. Gibson, Senator Nevada
10/11 Sen. Gibson said that he was preregistred, had his ticket and was ready to go but was informed that there were not enough participants and the conference was canceled.

B. Lawrence E. Jacobson, Senator Nevada
10/11 Betty Jacobson said he was preregistred and was informed that the conference was canceled.

B. Bill Hollowell, Rep. Texas
10/16 Rep. Hollowell said that he was preregistered. They called him and said that the conference was canceled.

B. Darlene Hooley, Rep. Oregon
10/17 Rep. Hooley said, "I was preregistered and had planned to go. They called me two days before the conference and said it had been canceled."

B. Joseph Strohl, Senator Wisconsin
10/15 Barbara, Secretary. There is nothing in the files relating to the conference nor was it on his schedule. However, he may have preregistered. He was called and told that the conference was canceled and would be rescheduled.

C. R. H. Strain, Rep. Louisiana
10/15 Marty, Appointment Secretary. The conference was not listed on his schedule, but he had intended to go. He canceled at the last minute.

C. Frank Williams, Rep. Florida
10/15 Jane Leatherwood, secretary. He had planned to attend originally but could not because the state legislature was in session. He may not have canceled, if he did cancel he took care of it himself.

C. Alan J. Greiman, Rep. Illinois
10/12 Rep. Greiman said that he "told them I would come" but canceled when he found out what the meeting was about. He was not interested in the subject. He may have canceled near the time of the meeting.

C. Mary A. McClure, Senator South Dakota
10/18 Sen. McClure, "I had planned to go, but decided not to due to family health problems. I don't remember if I called them or they wrote me canceling the meeting."

C. Sally Tanner, Rep. California
10/12 Mary, Appointment Secretary. The conference was on her schedule. The secretary did not know if Rep. Tanner canceled or if FEMA canceled.

D. Mitchell V. Harper, Representative Indiana
10/12 - 18 not in, does not have a secretary, fellow workers at the funeral business did not have a number where he could be reached.

October 15, 1984

Mr. Jim Jensen
SUB-COMMITTEE ON INVESTIGATIONS & OVERSIGHT
OF THE HOUSE COMMITTEE ON SCIENCE & TECHNOLOGY
Room 822
House Annex 1
Washington, D. C. 20515

Dear Mr. Jensen:

Per our conversation of October 12th, please find attached copies of any contract material received from Triton Corporation, a summary of any billing on reimbursement relative to that corporation, copies of the original and final plans for the course that was offered, a list of the original invitees, and a list of those expected to attend as of approximately April 1.

We worked with the Counsel of State Governments, both in Washington and in Lexington, Kentucky, in the selection of the proposed attendees. If you would like any correspondence copies relative to them, please let me know.

I would suggest that for a complete understanding of the contents of the course including the research, etc., that you might want to contact N.E.T.C.records for a copy of the complete curriculum of the course. It was and is still a good one and should be used at an appropriate time by the Agency subject to updating any dated material such as the existent individual state laws quoted, and the model legislation referred to.

As you can see, after looking over the first course plan, I had originally projected that the course would be held during a period when legislators were not normally in session. I think that at this time everyone would be happy to accept that philosophy. It projected that the course should be taught this November 14th, 15th and 16th.

Thank you for your attention to this matter. Please be kind enough to contact me with any additional questions that you might have.

Sincerely,

Dave Nicholas
Assemblyman

DN/cs

David D. Nicholas
P. O. Box 5319
Incline Village, NV 89450

Telephone: (702) 831-4655

EDUCATION:	BA and Med., University of Arizona - AZ Teaching Certificate
VOCATIONAL BACKGROUND:	Teacher Television reporter, Anchor & News Director Free lance writer Consultant, Health regulation Contract Exec., Nevada Health Care Association Legislator
LEGISLATIVE BACKGROUND:	First elected to Nevada Legislature in 1980. Presently campaigning for another two year term. Assistant Minority Leader at this time. Current Assembly Committee assignments include Government Affairs; Environment, Natural Resources and Agriculture; Legislative Functions; Health & Welfare; State Lands; and the Legislative Commission.
PERSONAL DATA:	Married, Army veteran, Born Cleveland, Ohio February 1, 1930.

LEGISLATIVE CONTACT
Proposed FEMA Seminar, April, 1984

1. Some 63 individuals selected by leadership and committee assignments were chosen from the four major Council of State Government regions in the United States. The list of those contacted is attached.

2. A letter was sent, on FEMA letterhead, signed by David D. Nicholas, as a fellow legislator, on February 7 to all 63. The letter essentially asked if the legislators would be interested in attending the April Seminar.

3. Those who responded favorably either by letter or by phone (some 28 responded favorably) were sent a formal invitation, signed by the Director which included a packet of instructions as to logistics and locations, etc.

4. Those who had not responded were sent an additional letter by Nicholas asking them to please respond. This letter was sent on March 2nd. Telephone calls were also made to those not responding.

5. Several additional names were suggested by CSG, FEMA Staff, etc. Additional invitations were sent out accordingly during March.

6. By March 28, the list of invitees included 23 legislators in addition to Nicholas. This list is attached and labeled "Pre-conference registrants". All 23 had signified that they would attend the conference. All had received orientation packets.

7. During the week prior to the scheduled seminar, NETC staff telephoned the acceptees individually. The list of acceptees as a result of this inquiry was said to be under ten.

8. The typical excuse received by Nicholas from those not able to come included "Prior commitments in my district"; "Legislature will be in session"; "Schedule will not allow me (to come)"; "Can't find a member to participate"; "Activity of the Legislature"; "Heavy schedule (in the Legislature)", etc. Telephone excuses in April were not recorded by me since the calls were made in Emmitsburg.

9. FEMA staff decided that the seminar should be canceled. All parties who were invited were telephoned by the Agency and so informed with the exception of the Nevada representatives whom I contacted.

Legislators
Contacted

COUNCIL OF STATE GOVERNMENTS

EASTERN STATES

Rep. David Lavine
Dead Hill Road
Durham, CT 06422

Rep. Bruce C. Ennis
522 Smyrna Clayton Blvd.
Smyrna, DE 19977

Sen. John P. Burke
198 Central Park Dr.
Holyoke, MA 01040

Rep. Thomas R. White
3 Nottingham Rd.
Worcester, MA 01609

Rep. Joanne C. Head
Stearns Rd.
Amherst, NH 03031

Sen. D. Michael Fisher
71 McMurray Road
Pittsburgh, PA 15241

Sen. J. William Lincoln
20 Front Street
Dunbar, PA 15431

Rep. Mark Alan Siegel
239 East 79th Street
New York, N.Y. 10021

Rep. Henry J. Connors
14 Tanglewood Drive
Riverside, RI 02915

Sen. John H. Howland
Box 44
Windsor, VT 05089

Rep. W. Paul White
735 Adams Street
Boston (Dorchester), MA 02122

Sen. Carmen A. Orechio
47 Washington Avenue
Nutley, NJ 07110

Sen. John J. Bevilacqua
380 Broadway
Providence, RI 02909

Sen. Hugh T. Farley
2137 Niskayuna Dr.
Schenectady, NY 12309

COUNCIL OF STATE GOVERNMENTS

MIDWESTERN CONFERENCE

Sen. Howard W. Carroll
55 E. Monroe, Suite 4444
Chicago, IL 60603

Rep. Alan J. Greiman
5114 Brown Street
Skokie, IL 60077

Rep. Mitchell V. Harper
931 Tennessee Avenue
Fort Wayne, IN 46805

Rep. James Jontz
Route 2
Brookston, IN 47923

Rep. John Brandl
310 W. Elmwood Place, W.
Minneapolis, MN 55419

Rep. Willard W. Munger
1121 S. 70th Avenue, W.
Duluth, MN 55807

Rep. Bob Feigenbaum
9 Caldwell Court
Ferguson, MO 63135

Sen. Rex Haberman
436 W. 11th Street
Imperial, NE 69033

Sen. James B. Dunn
Box 887
Lead, SD 57754

Rep. William L. Mallory
907 Dayton Street
Cincinnati, OH 45214

Sen. Mary A. McClure
910 E. Second Street
Redfield, SD 57469

Rep. David M. Travis
4229 Mandrake Rd.
Madison, WI 53704

Sen. Jerome J. Joyce
107 S. Kennedy Drive
P. O. Box 80
Bradley, IL 60915

Sen. Joseph Strohl
4240 N. Main Street, #318
Racine, WI 53402

Sen. Joseph S. Mack
Mt. Zion Road
P. O. Box 684
Ironwood, MI 49938

COUNCIL OF STATE GOVERNMENTS

WESTERN STATES

Sen. Lawrence E. Jacobson
Box 367
Minden, NV 89423

Sen. Sue Wagner
845 Tamarack Drive
Reno, NV 89509

Sen. James I. Gibson
806 Park Lane
Henderson, NV 89015

Rep. Darlene Hooley
6406 Failing Street
West Linn, OR 97068

Sen. John Kitzhaber
1033 W. Brown
Roseburg, OR 97470

Sen. Bettye Fahrenkamp
4016 Evergreen
Fairbanks, AK 99701

Sen. Hal Runyan
Box 1072
Litchfield Park, AZ 85340

Sen. Wm. Campbell
Room 2066
Capitol Building
Sacramento, CA 95814

Sen. Robert Presley
Room 4048, Capitol Building
Sacramento, CA 95814

Rep. Sally Tanner
11100 Valley Blvd., #106
El Monte, CA 91731

Sen. Ted L. Strickland
9361 Knox Ct.
Westminster, CO 80030

Rep. J. Vard Chatburn
Box 97
Albion, ID 83311

Sen. Al Williams
4801 Fremont, N.
Seattle, WA 98103

Rep. Dennis Iverson
Box 66
Whitlash, MT 59545

Rep. Nyla Murphy
1501 Linda Vista
Casper, WY 82601

COUNCIL OF STATE GOVERNMENTS

SOUTHERN LEGISLATIVE CONFERENCE

Rep. Bruce Ethridge
Route 2, Box 27
Swansboro, NC 28584

Sen. Hugh M. Gillis, Sr.
P. O. Box 148
Soperton, GA 30457

Rep. Bob Argo
P. O. Box 509
Athens, GA 30603

Sen. Clive L. DuVal II
P. O. Box 749
Arlington, VA 22216

Del. Robert B. Ball, Sr.
P. O. Box 9487
Richmond, VA 23228

Sen. Catherine I. Riley
630 Rock Spring Road
Bel Air, MD 21014

Sen. Frank Komenda
3509 Leslie Avenue
Temple Hills, MD 20748

Rep. David M. Halbrook
Box 694
Belzoni, MS 39038

Sen. Robert L. Crook
P. O. Box 85
Ruleville, MS 38771

Del.Gerard F. Devlin
2505 Kitmore Lane
Bowie, Md 20715

Rep. Manuel A. Fernandez
P. O. Box 197
Chalmette, LA 70043

Rep. R. H. Strain
Route 1, Box 7
Abita Springs, LA 70420

Sen. Ed Ford
315 E. Pike Street
Cynthiana, KY 41031

Rep. C. M. Hancock
514 Murray Street
Frankfort, KY 40601

Rep. David H. Cain
5217 Ross Avenue, Box 153
Dallas, TX 75206

Rep. Bill Hollowell
322 N. Oleander
Grand Saline, TX 75104

Rep. Beth Marietta
204 S. Cedar Street
Mobile, AL 36602

Rep. Frank Williams
P. O. Drawer D
Starke, FL 32901

Sen. Curtis Peterson
P. O. Box 180
Eaton Park, FL 33840

SENIOR EXECUTIVE POLICY CENTER
OFFICE OF PROGRAMS AND ACADEMICS
NATIONAL EMERGENCY TRAINING CENTER

Emmitsburg, MD 21727

Louis O. Giuffrida
Director

Attendees
who
accepted

THE ROLE OF STATE LEGISLATORS IN EMERGENCY MANAGEMENT.
APRIL 11-13, 1984

PRE-CONFERENCE REGISTRANTS

1. BALL, ROBERT B., SR.
Delegate
P. O. Box 9487
Richmond, VA 23228

2. CROOK, ROBERT L.
Senator
P. O. Box 85
Ruleville, MS 38771

3. GIBSON, JAMES I.
Senator
806 Park Lane
Henderson, NV 89015

4. GREIMAN, ALAN J.
Representative
5114 Brown Street
Skokie, IL 60077

5. HABERMAN, REX
Senator
436 W. 11th Street
Imperial, NE 69033

6. HARPER, MITCHELL V.
Representative
931 Tennessee Avenue
Fort Wayne, IN 46805

7. HOLLOWELL, BILL
Representative
322 N. Oleander
Grand Saline, TX 75104

8. HOOLEY, DARLENE
Representative
6406 Failing Street
West Linn, OR 97068

9. JACOBSON, LAWRENCE E.
Senator
P. O. Box 367
Minden, NV 89423

10. JOYCE, JEROME J.
Senator
107 S. Kennedy Drive
P. O. Box 80
Bradley, IL 60915

11. McCLURE, MARY A.
Senator
910 E. Second Street
Redfield, SD 57469

12. MADDY, KEN
Senator
1060 Fulton Mall, #1310
Fresno, CA 93721

13. MALLORY, WILLIAM L.
Representative
907 Dayton Street
Cincinnati, OH 45214

14. NICHOLAS, DAVID D.
Nevada State Assemblyman
P. O. Box 5319
Incline Village, NV 89450

15. ROSENTHAL, HERSCHEL
Senator
11340 W. Olympic Blvd., #250
Los Angeles, CA 90064

16. RUNYAN, HAL
Senator
P. O. Box 1072
Litchfield Park, AZ 85340

17. RUSSELL, NEWTON
Senator
401 N. Brand, #424
Glendale, CA 91203

18. STRAIN, R. H.
Representative
Route 1, Box 7
Abita Springs, LA 70420

19. STROHL, JOSEPH
Senator
4240 N. Main Street, #318
Racine, WI 53402

20. TANNER, SALLY
Representative
11100 Valley Blvd., #106
El Monte, CA 91731

21. TRAVIS, DAVID M.
Representative
4229 Mandrake Rd.
Madison, WI 53704

22. VARD CHATBURN, J.
Representative
P. O. Box 97
Albion, ID 83311

23. WHITE, W. PAUL
Representative
735 Adams Street
Boston (Dorchester), MA 02122

24. WILLIAMS, FRANK
Representative
P. O. Drawer D
Strake, FL 32901

Federal Emergency Management A
National Emergency Training Center
Emmitsburg, Maryland 21727

Attendee
Corres.

Dear ___________,

The National Emergency Training Center (N.E.T.C.) of the Federal Emergency Management Agency (F.E.M.A.)would appreciate your courtesy in considering spending two days in Maryland in April. The purpose of your travel and visit, to be paid for by F.E.M.A., will be to talk to you about emergency problems that impact on you as a Legislator and to listen to you about what you think Washington should be doing. In addition, we would plan to conclude our session with a briefing in our Nation's Capitol.

This meeting, to begin the evening of April 11th, will conclude on April 13th. Agendas and formal invitations will be mailed in February to the select group of invitees. Attendance will be limited to some ten Legislators from each of the four Council of State Government (C.S.G.)Conferences. You were recommended by the _________ Conference of the C.S.G. for the planned seminar. Several C.S.G. staff will be with us in Maryland for the meeting.

F.E.M.A. maintains a substantial campus in Emmitsburg, Maryland, north of Washington D.C.. Transportation from Dulles or National Airports will be provided on April 11th. V.I.P. accommodations will be provided in Emmitsburg Wednesday and Thursday nights. Meals will be provided on campus as well. On Friday, transportation will be provided to Washington for an Executive Branch briefing. After that, transportation will be made available to National or Dulles.

The agenda will consist of reviewing several current crises in several States, then discussing the legislative implications, and finally reviewing the directions F.E.M.A. can take in assisting States and in recommending directions that States might take individually. In attendance will be many of the F.E.M.A. staff, including Agency Director Louis O. Giuffrida and Training Center Director Fred J. Villella.

For those not familiar with the Training Center, some eight thousand Emergency Management specialists go through various courses of instruction there each year. Students include firemen and policemen, Emergency Management people, Sheriffs, City Managers, Mayors, etc..

Please be kind enough to indicate to the undersigned whether you will be able to attend this Legislative Seminar. We will look forward to hearing from you as soon as your schedule enables you to contact us. Thank you for your consideration of this invitation.

Sincerely,

David D. Nicholas
Nevada Assemblyman, N.E.T.C Senior Exec. Faculty.

Federal Emergency Management Agency
Washington, D.C. 20472

Dear

It is my pleasure to extend an invitation to you to come to the Federal Emergency Management Agency's (FEMA) National Emergency Training Center (NETC) in Emmitsburg, Maryland, April 11-13, 1984. As you know, the purpose of your visit will be to participate in a seminar, entitled "The Role of State Legislators in Emergency Management." The seminar will be conducted through FEMA's Senior Executive Policy Center (SEPC).

The seminar will focus on key roles that legislators can and might play in emergency management. Several emergency situations will be reviewed. FEMA personnel, as well as local and State appointed and elected representatives, will talk about the disasters and review the roles that were played by local, State and Federal officials. Additionally, time will be allotted for you to work with your peers from other States to discuss how State legislators might play even more effective roles in the emergency management process in the future. Finally, a special briefing concerning contemporary subjects of interest to you, will be provided at the FEMA Headquarters in Washington, DC, on the morning of April 13.

FEMA will reimburse you for your transportation and per diem expenses and provide you with accommodations at NETC as discussed in the enclosures. In addition, transportation will be provided for you to and from the Washington National and Baltimore-Washington International Airports. Please review the enclosures carefully to ensure you are familiar with all of the logistical and reimbursement details.

If you have any questions, please call Nevada State Assemblyman, David D. Nicholas, at (702) 885-1006, who is serving as seminar coordinator or a staff representative of FEMA's SEPC at (301) 447-6771, extension 7208.

I look forward to seeing you on April 11.

Sincerely,

L O Giuffrida

Louis O. Giuffrida
Director

Enclosures

SENIOR EXECUTIVE POLICY CENTER STATE LEGISLATIVE SEMINAR
APRIL 11-13, 1984

General Information

Location:
National Emergency Training Center (NETC)
16825 S. Seton Avenue
Emmitsburg, Maryland 21727
Phone: (301) 447-6771 -- This number is operational 24 hours a day.

Date:
Starts: 6:30 p.m., Wednesday, April 11, 1984
Ends: 12:00 Noon, Friday, April 13, 1984

Travel Expenses:
FEMA will reimburse participants for (1) common carrier (coach class) air fare or vehicle mileage at 20 cents a mile not to exceed the cost of round-trip economy coach air fare, and (2) the cost of the meal ticket purchased from Servomation Corporation. Other expenses are the responsibility of the participants.

Reimbursement forms are included in this packet of material.

Accommodations:
All participants will be housed at NETC at no cost.

Travel:
Participants should arrive Wednesday, April 11, 1984. There will be buses at the Washington National and Baltimore International Airports. Please complete and mail the attached travel plan post card as soon as you have made your airline reservations.

NETC buses will depart for these airports again on Friday, April 13, 1984. Please do not schedule return flights before 2:00 p.m.

FEMA Forms:
Included in this material are:
- Travel Plan (post card)
- Departure Itinerary Form
- Student Stipend Contract (for reimbursement)
- General Admission Application

These forms should be completed and turned in at registration Thursday, April 12, 1984. The only form that should be mailed is the travel plan post card mentioned above.

We will need to make a copy of airline tickets. Please have your ticket with you on Thursday

Message Center:
FEMA will operate a message center for incoming phone messages during the conference. The number will be (301) 447-6771, extension 7208, 8:30 a.m. to 5:00 p.m.

Additional Information:
For additional administrative information please call Barbara Hixon, (301) 447-6771, extension 7179.

For additional transportation information please call Vernon Keilholtz, (301) 447-6771, extension 6046.

Conference Coordinator: David D. Nicholas, (702) 885-1006

SEPC Staff: (301) 447-6771, extension 7208

DEPARTURE ITINERARY

PLEASE COMPLETE ALL ITEMS 1 THROUGH 5 WHERE APPLICABLE, AND SIGN ITINERARY. IF THERE IS A CHANGE IN YOUR PLANS, YOU MUST NOTIFY VERNON KEILHOLTZ IN BUILDING E, ROOM 103 AS SOON AS POSSIBLE.

1. NAME____________________________ 2. CLASS & DATE:__________

____

I PLAN TO RETURN TO MY RESIDENCE BY:

3. AIR AND WILL DEPART ON FRIDAY, MONTH_______DAY_______TIME______

(CHECK ONE) ________ WASHINGTON NATIONAL AIRPORT

________ BALTIMORE WASHINGTON I'NTL

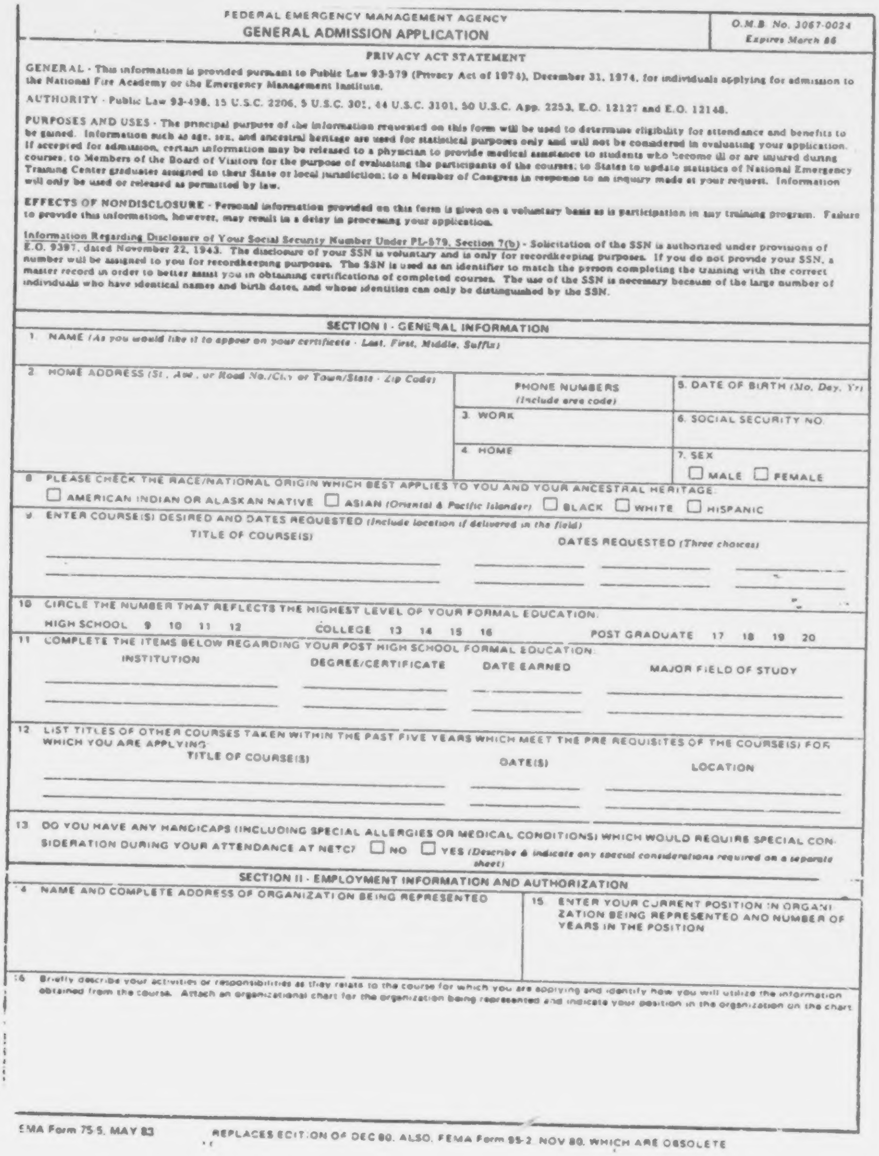
________ OTHER ____________________

4. CAR AND WILL DEPART ON FRIDAY, MONTH _______ DAY _______ TIME___

5. I WILL _____ WILL NOT _____ REQUIRE THE ACADEMY SHUTTLE AT THE CONCLUSION OF MY CLASS.

____

SIGNATURE DATE



FEDERAL EMERGENCY MANAGEMENT AGENCY

GENERAL ADMISSION APPLICATION

O.M.B. No. 3067-0024
Expires March 86

PRIVACY ACT STATEMENT

GENERAL - This information is provided pursuant to Public Law 93-579 (Privacy Act of 1974), December 31, 1974, for individuals applying for admission to the National Fire Academy or the Emergency Management Institute.

AUTHORITY - Public Law 93-498, 15 U.S.C. 2206, 5 U.S.C. 301, 44 U.S.C. 3101, 50 U.S.C. App. 2253, E.O. 12127 and E.O. 12148.

PURPOSES AND USES - The principal purpose of the information requested on this form will be used to determine eligibility for attendance and benefits to be gained. Information such as age, sex, and ancestral heritage are used for statistical purposes only and will not be considered in evaluating your application. If accepted for admission, certain information may be released to a physician to provide medical assistance to students who become ill or are injured during courses, to Members of the Board of Visitors for the purpose of evaluating the participants of the courses; to States to update statistics of National Emergency Training Center graduates assigned to their State or local jurisdiction; to a Member of Congress in response to an inquiry made at your request. Information will only be used or released as permitted by law.

EFFECTS OF NONDISCLOSURE - Personal information provided on this form is given on a voluntary basis as is participation in any training program. Failure to provide this information, however, may result in a delay in processing your application.

Information Regarding Disclosure of Your Social Security Number Under PL-579, Section 7(b) - Solicitation of the SSN is authorized under provisions of E.O. 9397, dated November 22, 1943. The disclosure of your SSN is voluntary and is only for recordkeeping purposes. If you do not provide your SSN, a number will be assigned to you for recordkeeping purposes. The SSN is used as an identifier to match the person completing the training with the correct master record in order to better assist you in obtaining certifications of completed courses. The use of the SSN is necessary because of the large number of individuals who have identical names and birth dates, and whose identities can only be distinguished by the SSN.

SECTION I - GENERAL INFORMATION

1. NAME *(As you would like it to appear on your certificate - Last, First, Middle, Suffix)*

2. HOME ADDRESS *(St., Ave., or Road No./City or Town/State - Zip Code)*

PHONE NUMBERS *(Include area code)*

3. WORK

4. HOME

5. DATE OF BIRTH *(Mo., Day, Yr)*

6. SOCIAL SECURITY NO.

7. SEX ☐ MALE ☐ FEMALE

8. PLEASE CHECK THE RACE/NATIONAL ORIGIN WHICH BEST APPLIES TO YOU AND YOUR ANCESTRAL HERITAGE.
☐ AMERICAN INDIAN OR ALASKAN NATIVE ☐ ASIAN *(Oriental & Pacific Islander)* ☐ BLACK ☐ WHITE ☐ HISPANIC

9. ENTER COURSE(S) DESIRED AND DATES REQUESTED *(Include location if delivered in the field)*

TITLE OF COURSE(S) — DATES REQUESTED *(Three choices)*

10. CIRCLE THE NUMBER THAT REFLECTS THE HIGHEST LEVEL OF YOUR FORMAL EDUCATION.
HIGH SCHOOL 9 10 11 12 COLLEGE 13 14 15 16 POST GRADUATE 17 18 19 20

11. COMPLETE THE ITEMS BELOW REGARDING YOUR POST HIGH SCHOOL FORMAL EDUCATION.

INSTITUTION	DEGREE/CERTIFICATE	DATE EARNED	MAJOR FIELD OF STUDY

12. LIST TITLES OF OTHER COURSES TAKEN WITHIN THE PAST FIVE YEARS WHICH MEET THE PRE REQUISITES OF THE COURSE(S) FOR WHICH YOU ARE APPLYING.

TITLE OF COURSE(S)	DATE(S)	LOCATION

13. DO YOU HAVE ANY HANDICAPS (INCLUDING SPECIAL ALLERGIES OR MEDICAL CONDITIONS) WHICH WOULD REQUIRE SPECIAL CONSIDERATION DURING YOUR ATTENDANCE AT NETC? ☐ NO ☐ YES *(Describe & indicate any special considerations required on a separate sheet)*

SECTION II - EMPLOYMENT INFORMATION AND AUTHORIZATION

14. NAME AND COMPLETE ADDRESS OF ORGANIZATION BEING REPRESENTED

15. ENTER YOUR CURRENT POSITION IN ORGANIZATION BEING REPRESENTED AND NUMBER OF YEARS IN THE POSITION

16. Briefly describe your activities or responsibilities as they relate to the course for which you are applying and identify how you will utilize the information obtained from the course. Attach an organizational chart for the organization being represented and indicate your position in the organization on the chart.

EMA Form 75-5, MAY 83 REPLACES EDITION OF DEC 80. ALSO, FEMA Form 95-2, NOV 80, WHICH ARE OBSOLETE

17. CHECK THE BOX(ES) BELOW THAT BEST DESCRIBE YOUR ORGANIZATION

a. JURISDICTION

☐ STATEWIDE
☐ COUNTY GOVERNMENT
☐ CITY/TOWN/VILLAGE
☐ OTHER *(Specify)* ____________________

☐ SPECIAL DISTRICT
☐ FEDERAL/MILITARY
☐ INDUSTRY/BUSINESS

b. TYPE OF ORGANIZATION

☐ ALL PAID
☐ VOLUNTEER/CALL
☐ COMBINATION

18. ENTER TOTAL NO. OF ACTIVE PERSONNEL IN YOUR ORGANIZATION

19. CHECK THE BOX THAT BEST DESCRIBES THE POPULATION SERVED BY YOUR ORGANIZATION

☐ OVER 200,000
☐ 100,000 - 200,000
☐ 50,000 - 100,000
☐ 25,000 - 50,000
☐ 10,000 - 25,000
☐ 5,000 - 10,000
☐ 2,500 - 5,000
☐ 1,000 - 2,500
☐ UNDER 1,000

20. CHECK THE BOX THAT BEST DESCRIBES YOUR CURRENT STATUS

☐ PAID FULL-TIME
☐ PAID PART-TIME
☐ VOLUNTEER

21. CHECK THE BOX THAT BEST DESCRIBES YOUR PRESENT PRIMARY RESPONSIBILITY. INSERT THE NUMBER IN THE BLANK TAKEN FROM THE "TYPE OF EXPERIENCE COLUMN", THAT BEST REPRESENT THE TYPE OF EXPERIENCE RELATED TO THAT RESPONSIBILITY. ALSO, ENTER THE NUMBER OF YEARS OF EXPERIENCE.

PRIMARY RESPONSIBILITY

☐ ______ MANAGEMENT
☐ ______ TRAINING/EDUCATION
☐ ______ SCIENTIFIC/ENGINEERING
☐ ______ INVESTIGATION
☐ ______ FIRE PREVENTION
☐ ______ FIRE SUPPRESSION
☐ ______ PROGRAM/ACTIVITY
☐ ______ HEALTH
☐ ______ PUBLIC WORKS
☐ ______ DISASTER RELIEF
☐ ______ EMERGENCY MEDICAL SERVICES
☐ ______ HAZARD MITIGATION
☐ ______ DISASTER RESPONSE
☐ ______ EMERGENCY PREPAREDNESS
☐ ______ DISASTER RECOVERY
☐ ______ OTHER *(Specify)* ____________________

NUMBER OF YEARS OF EXPERIENCE ____________

TYPE OF EXPERIENCE

1 - INCIDENT COMMAND
2 - ADMINISTRATION/STAFF SUPPORT
3 - SUPERVISION
4 - BUDGETING/PLANNING
5 - PROGRAM DEVELOPMENT
6 - PROGRAM DELIVERY
7 - COORDINATION/LIAISON
8 - PUBLIC EDUCATION
9 - CODE DEVELOPMENT
10 - INCIDENT RESPONSE
11 - CODE ENFORCEMENT
12 - INSPECTION
13 - SUPPORT SERVICES
14 - ADMINISTRATION/MANAGEMENT
15 - RESEARCH AND DEVELOPMENT
16 - ARSON
17 - LAW ENFORCEMENT
18 - DESIGNING AND PLANNING
19 - OTHER *(Specify)* ____________________

SECTION III - ENDORSEMENT AND CERTIFICATION

22. a. I certify that the information recorded on this application is correct. I agree to abide by the rules, policies, and regulations of the National Emergency Training Center if I am admitted as a student. Falsification of information may result in denial of a course certificate and a stipend (18 U.S.C. 1001).

b. I hereby authorize the release of any and all information concerning my enrollment in this course, to the chief officer in charge or designee, of my organization. All requests for information shall be in writing from said chief officer or designee.

c. Further, I understand that the National Emergency Training Center is not authorized to provide medical or health insurance for students. I maintain appropriate insurance on an individual basis.

SIGNATURE OF APPLICANT ______________________________ DATE ____________

23. a. Approval by the Head of the Sponsoring Organization:

SIGNATURE ______________________________ DATE ____________

TITLE ______________________________ PHONE NO. ____________

b. Additional endorsements for application to the Emergency Management Institute:

SIGNATURE *(State Emerg. Mgt. Coordinator)* ______________________________ DATE ____________

SIGNATURE *(FEMA Regional Director)* ______________________________ DATE ____________

24. SUBMISSION OF APPLICATION

a. FOR NFA COURSES DELIVERED IN EMMITSBURG, MD. SUBMIT APPLICATION TO:

National Emergency Training Center
Office of Admissions
16825 South Seton Avenue
Emmitsburg, MD 21727

b. FOR EMI COURSES DELIVERED IN EMMITSBURG, MD. S
THE APPLICATION THROUGH THE APPROPRIATE STATE
EMERGENCY MANAGEMENT COORDINATOR AND FEMA
REGION TO NETC.

c. FOR FIELD PROGRAM COURSES, SUBMIT APPLICATION
APPROPRIATE SPONSOR.

25. DISPOSITION

☐ ACCEPTED ☐ REJECTED ______________________________ ____________

Signature of Reviewer *Date*

TRAVEL PLAN

Name ______________________________ ☐ student ☐ adjunct

Class ______________________________ Dates ______________

1. I ☐ will ☐ will not require transportation from Airport to NETC.
2. I will be at ☐ Washington National ☐ Baltimore-Washington International for the
   ☐ 1:00 p.m. pickup ☐ 5:00 p.m. pickup.
3. I will be at ☐ Dulles International ☐ 5:00 p.m. only
4. My travel plans are as follows:
   I will arrive ☐ by Airplane ☐ by Train ☐ by Private car
   Arrival Date ____________________ Time ____________
   Airline and Flight No. ______________________________
   Departure Date ____________________ Time ____________
   Airline and Flight No. ______________________________

FEMA Form 75-7, NOV 83 REPLACES EDITION OF JAN 83, WHICH IS OBSOLETE.

FEDERAL EMERGENCY MANAGEMENT AGENCY
U. S. Fire Administration
National Fire Academy
Route 1, Box 10A
Emmitsburg, MD 21727

STUDENT STIPEND CONTRACT

PRIVACY ACT STATEMENT

This information is provided pursuant to Public Law 93-579 (Privacy Act of 1974), December 31, 1974, for individuals applying for stipends. Section 7 (i) (1) of Public Law 93-498 (Federal Fire Prevention and Control Act of 1974) authorizes the Administrator, U. S. Fire Administration, to provide student stipends. The purpose of the information requested is to facilitate the review, approval, accounting, advancement and reimbursement of funds for the expense of student attendance at the National Fire Academy. The system of records for maintaining National Fire Academy student registration information was published in the Federal Register, Volume 43, No. 116, Thursday, June 15, 1979 (pp 25853 25855). Submission of this information is voluntary; however, failure to provide requested information may result in the National Fire Academy not having sufficient information to process this request.

I hereby apply for a stipend authorized under Section 7(i) (1) of the Federal Fire Prevention and Control Act of 1974 (PL 93-498) as amended. I have been accepted for the ______________________ Course to be offered ______________________ 196_

NAME (Last, First, Middle)

ADDRESS (Include Zip Code)

HOME PHONE (Include Area Code)

BUSINESS PHONE (Include Area Code)

I plan to travel by:

☐ AIR to ☐ Washington National
☐ Baltimore/Washington International

☐ RAIL to City ______________________
Name of Railroad ______________________

☐ BUS to City ______________________
Name of Busline ______________________

☐ CAR to Campus

Estimated Round Trip Travel From Residence to National Fire Academy: $ ______________

Date of Arrival

Time of Arrival

I understand that stipends include roundtrip student travel (Travel costs are reimbursed on the basis of tourist/coach class accommodations.), housing and educational materials: That the U. S. Fire Administration will reimburse me for transportation (by common carrier) to major transportation centers near the Emmitsburg, Maryland, area and return, or a rate of $.20 per mile if I choose to travel by privately-owned vehicle; that the USFA will only reimburse at this private-vehicle rate up to 600 miles per one-way trip (or 1,200 miles roundtrip); that the National Fire Academy (NFA) will provide transportation from transportation centers to the campus if I arrive within suggested time periods; and, that transportation from these centers to the Emmitsburg, Maryland, campus and any other expenses incurred including meals or lodging will be my responsibility if I do not arrive at transportation centers within the suggested time periods.

Federal Emergency Management Agency

National Emergency Training Center
Emmitsburg, Maryland 21727

Name & Title
Address
City & State

Dear----------------

In reference to my correspondence with you several weeks ago, It would be appreciated if you could take a moment to contact the undersigned as to your interest in attending the Federal Emergency Management Agency briefing April 11-13.

You may recall that your trip expenses will be paid by the Emergency Training Center, and that the short conference will be attended by a number of your colleagues from around the country. We do have some time constraints, however, in that we do have the need to know whether or not you are able to attend soon.

Please be kind enough to contact me at your earliest conveniance. Thank you for your time in this matter.

Sincerely,

David D. Nicholas
Assemblyman, State of Nevada
Post Office Box 5319
Incline Village, Nevada 89450

DRAFT

Letter to Regional Directors

Dear _________, February ____, 1984

Attached please find a list of Legislators from the four Council of State Governments (C.S.G.) regions. Several of those listed are from your District.

The C.S.G. has recommended these people to us as being legislators who could benefit from exposure to the National Training Center, so we will shortly be contacting them directly to ask them to come to the N.E.T.C. for a short course on our Agency. We wanted to let you know about the situation.

Our direction is to let them know what the Center has done. We will bring them in on the evening of April 11th to Emmitsburg and deliver them to their Washington travel connections on April 13th. Over and above their F.E.M.A. orientation, we'll also talk about legislative responsibilities in emergency situations and possible legislative directions that might assist them.

Several of our people from the Senior Executive Policy Center who have legislative experience are lead staff for the seminar. If there are any questions or comments that you might have, please feel free to pass them on. We will be happy to pay special attention to specific directions that you might suggest concerning people from your District.

Sincerely,

Triton
Contract
Material

October 14, 1983

David Nicholas
P.O. Box 5319
Incline Village, NE 89450

Dear Mr. Nicholas:

Enclosed is the consulting agreement--and an invoice form--we talked about on the telephone on October 13. If this agreement is satisfactory to you, please sign both copies and return one to me. If you also return the completed invoice by October 20, it will be included in our October invoice to FEMA.

Sincerely,

John D Smith

John D. Smith
Project Director

TRITON
1825 Connecticut Ave., N.W., Suite 408, Washington, D.C. 20009 (202) 332-8310

TRITON Corporation
Standard Letter of Agreement for Consultants

David Nicholas
P.O. Box 5319
Incline Village, NE 89450

Dear Mr. David Nicholas:

This letter represents a contractual agreement between you and TRITON Corporation. If you agree to the terms stated herein, please sign both copies and return one to TRITON. The other is for your files.

As discussed earlier, you will provide up to 4 days of technical assistance at the rate of $200.00 per day for work to be performed under contract # EMW-83-C-1227, Educational Assistance Project

Your duties include the following:

Develop and coordinate a conference for the Senior Executive Policy Center on Policy Issues in Emergency Management for State Legislators. During these first 5 days, you will:

- Develop goals and objectives for the conference;
- Identify a target audience and
- Determine dates for the conference.

All work performed shall be subject to all conditions and requirements in the TRITON contract with FEMA, including but not limited to formats, content of research products and schedule of deliverables. The TRITON designated Project Director may require the submission of products earlier than scheduled for review and approval and set up such a review schedule. John Smith will be your principal contact with the firm and is responsible for the review and approval of all work performed under this contract. TRITON reserves the right to reject and return or modify any products submitted to it.

You are not authorized to incur any expenses pursuant to this work unless approved by the Project Director. In addition, any matter involving costs, expenses or any changes in time arrangements set out in this document must be cleared and approved by the TRITON designated Corporate Officer-in-Charge.

TRITON shall neither exercise nor have any right to control the means by which your work is to be accomplished, except to provide support services for the preparation of drafts and the final report. Acceptance of this letter contract also constitutes acceptance of the pertinent laws, regulations and provisions applicable to Government contracts.

You are responsible for the timely filing of all invoices for work performed and expenses incurred with TRITON Corporation. Invoices are to be submitted on a monthly basis and must be received at TRITON no later than the 20th of the month. Failure to conform to this schedule may result in non-payment until the next billing cycle under the contract. TRITON assumes no liability for payment due to late submission of invoices. Requests for reimbursement of expenses must be clearly identified as such, and receipts which document these expenses must be attached. A sample invoice form is attached herewith for your convenience. Payment of these invoices is subject to availability of funds.

For this contract, John D. Smith is Project Manager and Albert Ferri is TRITON designated Project Director. TRITON Corporation looks forward to working with you on this project.

Sincerely,

John D Smith for Albert Ferri, Jr.
(Corp. Officer's Sig.)

(Consultant's sig.) Date

Social Security # 114 22 1103

December 1, 1983

Mr. David Nicholas
P. O. Box 5319
Incline Village, Nevada 89450

Dear Mr. Nicholas:

Please consider this letter an official extension of your consultant agreement with TRITON dated November 4, 1983. Your Scope of Work is expanded to include development of Emergency Management Conferences for the Senior Executive Policy Center (SEPC). Your fee remains at $200 a day.

This extension is for sixty (60) days to run through the course of our contract with FEMA, contingent upon funds being allocated to our SEPC task.

Sincerely,

John D. Smith
Deputy Project Director

JDS/bjg
Enclosures

TRITON
1825 Connecticut Ave., N.W., Suite 408 Washington, D.C. 20009 (202) 332 8310

August 14, 1984

David Nicholas
P.O. Box 5319
Incline Village, Nevada 39450

Dear Mr. Nicholas:

Because of an oversight on our part, we neglected to update your consultant agreement in May when we officially signed contract #EMW-84-C-1543 effective January 20, 1984. Please help us correct this oversight by signing the contract modification forms enclosed. Return one copy to:

Diane Wise
TRITON Corporation
18625 S. Seton Avenue
Emmitsburg, MD 21727

The other is for your files.

Your cooperation will be greatly appreciated.

Sincerely,

John D Smith

John D. Smith
Project Deputy Director

TRITON

TRITON Corporation 1825 Connecticut Avenue, Suite 408 Washington, D.C. 20009	SUBCONTRACT NO. Nicholas
SUPPLEMENTAL AGREEMENT	MODIFICATION NO. 01 EFFECTIVE DATE: 1/20/84
SUBCONTRACTOR - Consultant David Nicholas P.O. Box 5319 Incline Village, Nevada 39450	TITLE
ACCOUNTING AND APPROPRIATION DATA FEMA 398/10	

PURPOSE: To transfer work in agreement under contract #EMW-C-83-1227 to contract #EMW-C-84-1543

AMOUNT:

No change

EXPIRATION DATE: 0/30/84

SUBCONTRACT TYPE: Consultant agreement

NEGOTIATED UNDER THE AUTHORITY OF:

FEMA Contract #EMW-C-84-154-

Except as hereby modified, all terms and conditions of said subcontrac remain unchanged and in full force and effect. This Supplemental Agre ment is entered into pursuant to the authority of Prime Contract.

In witness whereof the parties hereto have hereunto set by their duly authorized representatives their bonds and seals this 20th day of Jan. in the year Nineteen Hundred and Eighty-Four.

TRITON Corporation

Signed: John D Smith	Signed: (Signature)
Printed: John D. Smith	Printed: David Nicholas
Title Project Deputy Director	Title Consultant

WP-489

1.

Summary of billing by
David D. Nicholas to
Triton Corporation
on contract

Date billed	Time	Expenses	Total Bill	Approx. Date Pay. received
10-27-83	4 days	$ 724.25	$1,524.25	12-19-83
(Contract EMW-83-C-1227, which authorized 4 days consultancy).				
1-20-84	11	$ 645.00	$2,845.00	4-09-84
2-21-84	10	624.84	2,624.84	5-24-84
3-21-84	9		1,800.00	6-22-84
4-30-84	10	99.72	2,099.72	7-31-84
TOTAL	40	$1,369.56	$9,369.56	

Originally Contract EMW-83-C-1227, as extended by Triton. Then amended by Triton to EMW-84-C-1543, which authorized 60 days consultancy.

Attachments: Triton Correspondence and contact copies.

2. Any other business involving Triton Corporation:

In Los Angeles on March 7, a seminar was held at the University Hilton entitled "Formulating Public Policy" sponsored by N.E.T.C. I was not on contract for this, nor did I bill for my time for attending. I filled out the normal expense form. The seminar was conducted by associates with whom I expected to work in the April Seminar. My reimbursement for airfare, lodging and meals was $313.00. I filled out the standard form 1034 and produced the needed receipts. I did not exceed federal limits on expenses. I was reimbursed by Triton for the $313.00 on 6-22-84, the same date I received payment for my 3-31-84 billing.

Original
Course
Plan

Planning Meeting
Legislative Seminar

Attendees: Dr. Charles Girard, representing NETC
Mr. Lawrence Hogan, Consultant
Assemblyman Dave Nicholas, Consultant
Dr. Paul G. Watson, representing NETC

Suggested Agenda:

1. Proposed planning cycle and discussion of the resources available to achieve it, including suggested attendees. Pages 2 and 3.
2. Subject matter to be presented to the seminar including suggested presenters and possible directions for teaching aids. Pages 4 and 5.
3. The possible Agenda for the seminar. Pages 6 and 7.
4. The reference workbook to be assembled for the use of the attendees. Page 8.
5. Such other issues as are felt to be tangent to the subject matter.

A Suggested Planning Cycle

Item		Time
1.	Planning Meeting	October 26, 1983
2.	Basic Research	November, December, 1983
3.	Invitee Research	November, December, 1983
4.	Steering Committee Meeting	February, 1984
5.	Materials Production	March, April, May, 1984
6.	Contact Invitees	May, 1984
7.	Dress Rehearsal	September, 1984
8.	Re-confirm Election Results	November 7, plus, 1984
9.	Hold Seminar (Depending on Congressional Recess.)	November 14, 15, 16, 1984

Suggested Attendees

1. Sources to be contacted in order to prepare a list of attendees.
    a. N.C.S.L., Denver, Colorado (Legislators)
    b. C.S.G., Lexington, Kentucky (Legislators plus misc. information on other elected State Officials.)
    c. N.G.A. (Identify Chiefs of Staff for invitations for those whose State disasters will be discussed in the seminar.)
    d. Such State contacts as are needed to verify information concerning committee memberships, etc.
2. Criterian for selection as attendees.
    a. General Leadership position.
    b. Specific Committee position.
    c. Political position, including reelection situation where needed. Decision should be aimed at the probabilities of subject attendees being in office at the time the seminar is to be given. This is not a completely predictable situation, so some error will be encountered.
    d. Such other factors as may be found, including interest in the subject matter, etc.
3. Candidate contact.
    a. May invitation. Careful consideration needs to be given to this letter. Several different approaches may be needed, depending on the invitee.
    b. Incentives. In addition to the objectives of the course, many invitees should welcome the opportunity to visit in D.C. Such directions as this should be explored.
    c. Legislators will expect well considered treatment, including special attention to travel problems where this can be given. Assurance that these aids can be addressed will be an incentive to attendees.

Subject Matter

1. Subjects:

    a. Coalinga

    b. Galveston

    c. Such other locations as had suffered a major disaster, recently and under the jurisdiction of politicians presently in office.

    d. Subjects of lesser importance, including incidents in the Sacramento Delta (Flood), Washoe County, Nevada (Fire), Beatty, Nevada (Radioactive waste).

2. Treatment:

    a. Primary subject (Such as Coalinga).

        (1) When, Where, and What, Who, Why and How? - Explained presenter, hopefully with visual aids.

        (2) Political jurisdictions. - By presenters, with visual aids.

        (3) Subsequent local, State, and Federal actions. - By presenters, with aids where applicable.

        (4) Resultant Legislative actions. - By presenters, with aids where applicable.

        (5) Nominal Group participation. - To be defined, based on suggestions by the presenters, but probably aimed at those things that should have or could have been done that might not have been.

3. Treatment of secondary subject matter (Such as Sacramento Delta):

    a. Short, dramatic treatment with simple visual aids such as large maps, charted dollar losses, etc.

    b. Varied subject matter, such as fire, flood, waste disposal, wind, avalanche, civil disorder, health crisis. Hopefully, each short subject should be recent history.

4. Course goals, to which the subject matter treatment is to aim.

    a. That crises are to be expected and prepared for.

    b. That crises call for special reactions from Legislators, including:

        (1) Action during a crisis, with special attention to problems of communications, chain of command, and policy directions. (Includes jurisdictions, equipment and manpower, and priorities observed.) Legislators actions must generally be passive, but as informed observers at this time. (Subject to exceptions of specific responsibility.)

        (2) Action immediately after crisis, including convening the proper people to analyze problem areas, identify sources of help, etc.

        (3) Action at the appropriate time, (Sometimes much

later.) such as proposing legislative problem solutions based on analysis.

5. Suggested directions in the procurement of outside presenters.
    a. Major subject matter (Coalinga is again used, but only as an example).
        (1) A major local official, responsive during the crisis.
        (2) An incumbant Senator or Assemblyman from the district.
        (3) An Emergency Management Executive from State Government.
        (4) A Legislative Council Bureau Staffer who knows the case.
        (5) A staffer (hopefully the Chief) from the Governor's office.
    b. Short subjects (such as the Sacramento Delta floods). It may not be necessary to import presenters for these cases. Several such cases should be presented, hopefully representing different problem areas.

6. Suggested Visual Aids.
    a. For a subject matter such as Coalinga, local presenters should be able to procure local TV VTR's, possibly slides as well. Maps detailing the impacted areas, and a map of the political boundaries would also be useful. State studies and county treatments will probably offer sources for any needed graphs or charts that may call for the preparation of aids such as overhead projector or slide projector materials.

    b. For examples of smaller crises, perhaps a single, large visual aid such as a map would be sufficient. A broad lined map of the Scaramento Delta would probably be sufficient to show the Delta islands that were flooded. A map of Washoe County, Nevada, would show the areas burned and the locations of the houses lost in that fire.

Suggested Agenda
Legislative Workshop

Wednesday, November 14, 1984

5:00 p.m.	Registration
5:00 p.m.	Reception
6:00 - 7:30 p.m.	Dinner Welcome - The Honorable Louis O. Giuffrida Director, FEMA
7:30 - 8:00 p.m.	Break
8:00 p.m.	Three Crises
8:45 p.m.	What Legislative Action Did.
9:00 p.m.	Adjourn

Thursday, November 15, 1984

8:30 a.m.	The Challenge to State Government - Crisis Management The Honorable Fred J. Villella Associate Director, Training and Fire Programs
9:00 a.m.	Complete Description of a serious Crisis. General Description: From the viewpoint of a local - Official From the viewpoint of a Legislator (local) From a State Emergency Management Official From the Legislative Council Bureau viewpoint From a Governor's Office Staffer
10:30 a.m.	Break
10:45 a.m.	Resume presentation
11:45 a.m.	General Problem Areas in a Crisis - Where things can go wrong.
12:00 noon	Lunch
1:30 p.m.	A review and analysis of the crisis- that was the subject of the morning discussion. Subject to audience size, utilize nominal group technique to identify problem areas through prioritization.
3:15 p.m.	Break
3:30 p.m.	Resume review and analysis through group technique.

5:25 p.m.	Adjourn
6:00 p.m.	Social Gathering
7:00 p.m.	Dinner

Friday, November 16, 1984

8:30 a.m.	Summary of the Group Priorities
8:45 a.m.	Presenter's roundtable - Application of the priorities to the problem. A projection of what might have been done in dealing with the crisis.
9:45 a.m.	FEMA - A Partner in the Process.
10:00 a.m.	Closing Remarks
10:30 a.m.	Departure (Including transportation to D.C., Dulles, National).

The Reference Workbook
Suggested Contents

A. Table of Contents

B. Agenda

C. Case Material and Exhibits

D. Roster of Presenters and Invitees

E. Bibliography and Body of Knowledge

F. Baseline Data Report (Most Recent)

G. Reference Material on SEPC, NETC, and FEMA as needed.

H. Evaluation Forms

Adopted
Course
Plan

PLANNING MEETING

LEGISLATIVE SEMINAR

Attendees:
Dr. Frank C. Sidella, representing NETC
Dr. Charles Girard, representing NETC
Mr. Lawrence Hogan, Consultant
Assemblyman Dave Nicholas, Consultant
Dr. Paul G. Watson, representing NETC
Dr. Charles N. Turner, representing NETC
Mr. Pat Gallagher, Consultant

Suggested Agenda:

1. Proposed planning cycle and discussion of the resources available to achieve it, including suggested attendees. Pages 2 and 3.
2. Subject matter to be presented to the seminar including suggested presenters and possible directions for teaching aids. Pages 4 and 5.
3. The Suggested Agenda for the seminar. Pages 6 and 7.
4. The reference workbook to be assembled for the use of the attendees. Page 8.
5. Such other issues as are felt to be tangent to the subject matter.

A SUGGESTED PLANNING CYCLE

Item	Time
1. Planning Meeting	October 26, 1983
2. Basic Research	November, December, 1983
3. Invitee Research	November, December, 1983
4. Materials Production	January, February, 1984
5. Contract Invitees	January, 1984
6. Dress Rehearsal	March, 1984
7. Hold Seminar	April 11, 12, 13, 1984

SUGGESTED ATTENDEES

1. Sources to be contacted in order to prepare a list of attendees.

    a. N.C.S.L., Denver, Colorado (Legislators)

    b. C.S.G., Lexington, Kentucky (Legislators plus misc. information on other elected State Officials.)

    c. N.G.A. (Identify Chiefs of Staff for invitations for those whose State disasters will be discussed in the seminar.)

    d. Such State contacts as are needed to verify information concerning committee memberships, etc.

2. Criterian for selection as attendees.

    a. General Leadership position.

    b. Specific Committee position.

    c. Political position, including reelection situation where needed. Decision should be aimed at the probabilities of subject attendees being in office at the time the seminar is to be given. This is not a completely predictable situation, so some error will be encountered.

    d. Such other factors as may be found, including interest in the subject matter, etc.

3. Candidate contact.

    a. January invitation. Careful consideration needs to be given to this letter. Several different approaches may be needed, depending on the invitee.

    b. Incentives. In addition to the objectives of the course, many invitees should welcome the opportunity to visit in D.C. Such directions as this should be explored.

    c. Legislators will expect well considered treatment, including special attention to travel problems where this can be given. Assurance that these aids can be addressed will be an incentive to attendees. A reception in the Rotunda in Washington should also be considered.

Subject Matter

1. Subjects:

    a. Coalinga

    b. Galveston

    c. Such other locations as had suffered a major disaster, recently and under the jurisdiction of politicians presently in office.

    d. Subjects of lesser importance, including incidents in the Sacramento Delta (Flood), Washoe County, Nevada (Fire), Beatty, Nevada (Radioactive waste).

2. Treatment:

    a. Primary subject (Such as Coalinga).

        (1) When, Where, and What, Who, Why, and How? - Explained presenter, hopefully with visual aids.

        (2) Political jurisdictions - By presenters, with visual aids.

        (3) Subsequent local, State, and Federal actions - By presenters, with visual aids where applicable.

        (4) Resultant Legislative actions - By presenters, with aids where applicable.

        (5) Group participation - To be defined, based on suggestions by the presenters, but probably aimed at those things that should have or could have been done that might not have been in the legislator's own jurisdictions. They should key on their own needs.

3. Treatment of secondary subject matter (Such as Sacramento Delta):

    a. Short, dramatic treatment with simple visual aids such as large maps, charted dollar losses, etc.

    b. Varied subject matter, such as fire, flood, wast disposal, wind, avalanche, civil disorder, health crisis. Hopefully, each short subject should be recent history.

4. Course goals, to which the subject matter treatment is to aim.

    a. That crises are to be expected and prepared for.

    b. That crises call for special reactions from Legislators in areas of Public Relations, legal reference, outside referral and legislative action. There are three different times for combinations of active or passive direction.

        (1) Action during a crisis, with special attention to problems of

communications, chain of command, and policy directions. (Includes jurisdictions, equipment and manpower, and priorities observed.) Legislators actions must generally be passive, but as informed observers at this time. (Subject to exceptions of specific responsibility.)

(2) Action immediately after crisis, including convening the proper people to analyze problem areas, identify sources of help, etc.

(3) Action at the appropriate time, (sometimes much before as well as later) such as proposing legislative problem solutions based on analysis.

5. Suggested directions in the procurement of outside presenters.

   a. Major subject matter (Coalinga is again used, but only as an example).

      (1) A major local official, responsive during the crisis.

      (2) An incumbent Senator or Assemblyman from the district.

      (3) An Emergency Management Executive from State government.

      (4) A Legislative Council Bureau Staffer who knows the case.

      (5) A staffer (hopefully the Chief) from the Governor's office.

   b. Short subjects (such as the Sacramento Delta floods). It may not be necessary to import presenters for these cases. Several such cases should be presented, hopefully representing different problem areas.

   c. Work with appropriate research sources to gain information on individual State legislation in the field. Identify a presenter as a result of this.

6. Suggested Visual Aids.

   a. For a subject matter such a Coalinga, local presenters should be able to produce local TV VTR's, possibly slides as well. Maps detailing the impacted areas, and a map of the political boundaries would also be useful. State studies and county treatment will probably offer sources for any needed graphs or charts that may call for the preparation of aids such as overhead projector or slide projector materials.

   b. For examples of smaller crises, perhaps a single, large visual aid such as a map would be sufficient. A broad lined map of the Sacramento Delta would probably be sufficient to show the Delta islands that were flooded. A map of Washoe County, Nevada, would show the areas burned and the locations of the houses lost in that fire.

   c. For the summary of State legislation, overhead projector methodologies can be appropriate.

Suggested Agenda
Legislative Workshop

Wednesday, April 11, 1984

5:00 p.m.	Registration
5:00 p.m.	Reception
6:00 - 7:30 p.m.	Dinner Welcome - The Honorable Louis O. Giuffrida Director, FEMA
7:30 - 8:00 p.m.	Break
8:00 p.m.	Three Crises
8:45 p.m.	What Legislative Action Did
9:00 p.m.	Adjourn

Thursday, April 12, 1984

8:30 a.m.	The Challenge to State Government - Crisis Management
9:00 a.m.	Emergency Management Legislation In the 50 States
10:00 a.m.	A Summary of a Serious Crisis
10:30 a.m.	Break
10:45 a.m.	General Description: A Serious Crisis. From the viewpoint of a local Official From the viewpoint of a Legislator (local) From a State Emergency Management Official From the Legislative Council Bureau viewpoint From a Governor's Office Staffer
12:00 noon	Lunch
1:30 p.m.	Summary and questions concerning the serious crisis
2:00 p.m.	Subject to audience size, utilize group technique to identify problem areas. Discuss Legislators' needs in their own States
3:15 p.m.	Break
3:30 p.m.	Resume review and analysis through group technique
5:00 p.m.	Adjourn
6:00 p.m.	Social Gathering
7:00 p.m.	Dinner

Friday, April 13, 1984

8:30 a.m.	Summary of the Group Priorities
8:45 a.m.	Presenter's roundtable - Application of the priorities to the problem.
9:45 a.m.	FEMA - A Partner in the Process
10:00 a.m.	Closing Remarks
10:30 a.m.	Departure (including transportation to DC, Dulles, National).

The Reference Workbook
Suggested Contents

A. Table of Contents

B. Agenda

C. Case Material and Exhibits, Legislative Activity Material

D. Roster of Presenters and Invitees

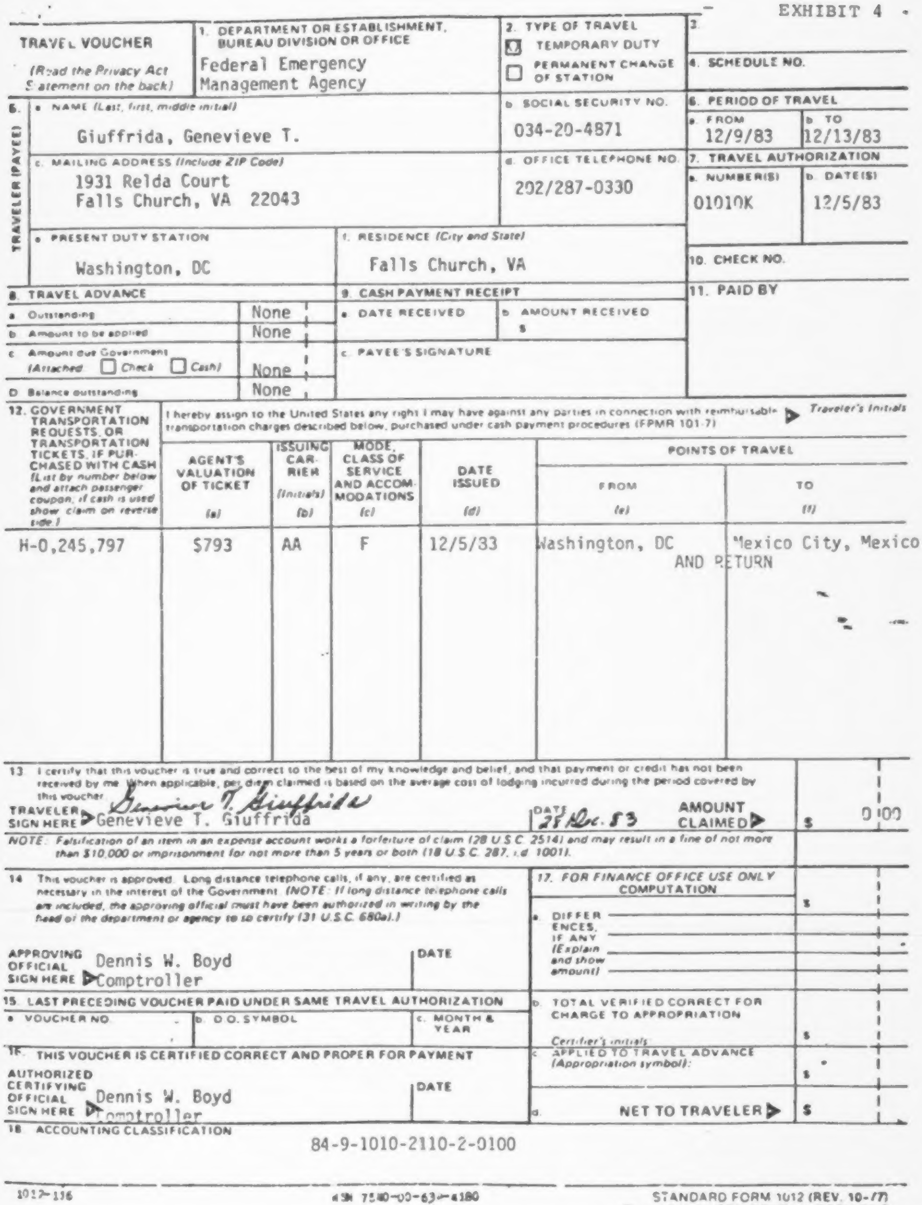
E. Bibliography and Body of Knowledge

F. Baseline Data Report (Most Recent)

G. Reference Material on SEPC, NETC, and FEMA as needed

H. Evaluation Forms

EXHIBIT 4



TRAVEL VOUCHER
(Read the Privacy Act Statement on the back)

1. DEPARTMENT OR ESTABLISHMENT, BUREAU DIVISION OR OFFICE
Federal Emergency
Management Agency

2. TYPE OF TRAVEL
☒ TEMPORARY DUTY
☐ PERMANENT CHANGE OF STATION

3.

4. SCHEDULE NO.

5. TRAVELER (PAYEE)
a. NAME *(Last, first, middle initial)* Giuffrida, Genevieve T.
b. SOCIAL SECURITY NO. 034-20-4871
c. MAILING ADDRESS *(Include ZIP Code)*
1931 Relda Court
Falls Church, VA 22043
d. OFFICE TELEPHONE NO. 202/287-0330
e. PRESENT DUTY STATION Washington, DC
f. RESIDENCE *(City and State)* Falls Church, VA

6. PERIOD OF TRAVEL
a. FROM 12/9/83
b. TO 12/13/83

7. TRAVEL AUTHORIZATION
a. NUMBER(S) 01010K
b. DATE(S) 12/5/83

8. TRAVEL ADVANCE

a. Outstanding	None
b. Amount to be applied	None
c. Amount due Government *(Attached* ☐ *Check* ☐ *Cash)*	None
D. Balance outstanding	None

9. CASH PAYMENT RECEIPT
a. DATE RECEIVED
b. AMOUNT RECEIVED $
c. PAYEE'S SIGNATURE

10. CHECK NO.

11. PAID BY

12. GOVERNMENT TRANSPORTATION REQUESTS, OR TRANSPORTATION TICKETS, IF PURCHASED WITH CASH *(List by number below and attach passenger coupon; if cash is used show claim on reverse side.)*

I hereby assign to the United States any right I may have against any parties in connection with reimbursable transportation charges described below, purchased under cash payment procedures (FPMR 101-7) ▶ *Traveler's Initials*

	AGENT'S VALUATION OF TICKET (a)	ISSUING CARRIER *(Initials)* (b)	MODE, CLASS OF SERVICE AND ACCOMMODATIONS (c)	DATE ISSUED (d)	POINTS OF TRAVEL FROM (e)	POINTS OF TRAVEL TO (f)
H-0,245,797	$793	AA	F	12/5/33	Washington, DC AND RETURN	Mexico City, Mexico

13. I certify that this voucher is true and correct to the best of my knowledge and belief, and that payment or credit has not been received by me. When applicable, per diem claimed is based on the average cost of lodging incurred during the period covered by this voucher.

TRAVELER SIGN HERE ▶ Genevieve T. Giuffrida
Genevieve T. Giuffrida
DATE 28 Dec. 83
AMOUNT CLAIMED ▶ $ 0 00

NOTE: *Falsification of an item in an expense account works a forfeiture of claim (28 U.S.C. 2514) and may result in a fine of not more than $10,000 or imprisonment for not more than 5 years or both (18 U.S.C. 287, 1001).*

14. This voucher is approved. Long distance telephone calls, if any, are certified as necessary in the interest of the Government. *(NOTE: If long distance telephone calls are included, the approving official must have been authorized in writing by the head of the department or agency to so certify (31 U.S.C. 680a).)*

APPROVING OFFICIAL SIGN HERE ▶ Dennis W. Boyd
Comptroller
DATE

15. LAST PRECEDING VOUCHER PAID UNDER SAME TRAVEL AUTHORIZATION
a. VOUCHER NO.
b. D.O. SYMBOL
c. MONTH & YEAR

16. THIS VOUCHER IS CERTIFIED CORRECT AND PROPER FOR PAYMENT

AUTHORIZED CERTIFYING OFFICIAL SIGN HERE ▶ Dennis W. Boyd
Comptroller
DATE

17. *FOR FINANCE OFFICE USE ONLY*
COMPUTATION
$
a. DIFFERENCES, IF ANY *(Explain and show amount)*
b. TOTAL VERIFIED CORRECT FOR CHARGE TO APPROPRIATION
Certifier's initials $
c. APPLIED TO TRAVEL ADVANCE *(Appropriation symbol):* $
d. NET TO TRAVELER ▶ $

18. ACCOUNTING CLASSIFICATION
84-9-1010-2110-2-0100

1012-116
NSN 7540-00-634-4180
STANDARD FORM 1012 (REV. 10-77)
Prescribed by GSA, FPMR (41 CFR) 101-7

Federal Emergency Management Agency
Washington, D.C. 20472

NOV 18 1983

Mrs. Genevieve T. Giuffrida
1931 Relda Court
Falls Church, Va. 22043

INVITATIONAL TRAVEL AUTHORIZATION

Dear Mrs. Giuffrida:

You are invited to attend the Conference under the U.S./Mexico Agreement on Natural Disasters to be held in Mexico City, Mexico for the purpose of participating in the various activities associated with the conference. Invitational travel is authorized for persons when they are serving in a capacity that is related to, or is in connection with, official activities of FEMA.

You are authorized to proceed to Mexico City on December 9, 1983 and return at the completion of the conference.

FEMA will reimburse the cost of first class common carrier, transportation to and from terminals, and pay you actual subsistence allowance not to exceed $78.00 per day.

Your account for reimbursable expenses will be kept open sixty days after completion of your trip. Please fill out the enclosed FEMA Form 20-2, "Travel Schedule and Expenses," and send it to our Office of International Affairs as soon after completion of the trip as possible. A postage paid pre-addressed envelope is enclosed for this purpose. A travel voucher will then be prepared and forwarded to you for your signature. It will be processed for payment as soon as it is received back from you.

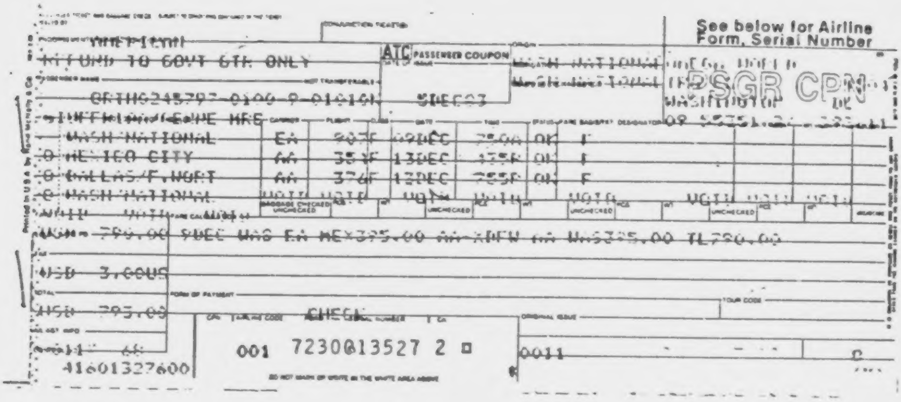
Sincerely,

Fred J. Villella

Fred J. Villella
Executive Deputy Director

Enclosure

TA # 01010K
Appropriation 84-9-1010-2110-2-0100
Approximate Cost $1200.00



See below for Airline Form, Serial Number

ATC PASSENGER COUPON

REFUND TO GOVT GTR ONLY

ORTHG245797-0109-9-01010N

9DEC83

[illegible] MRS

WASH NATIONAL	EA	907F	09DEC	750A	OK	F
O MEXICO CITY	AA	35 F	13DEC	435P	OK	F
O DALLAS/F.WORT	AA	376F	13DEC	755P	OK	F
O WASH NATIONAL	VOID	VOID	VOID	VOID		VOID

VOID VOID

WASHINGTON DC

PSGR CPN

USD 790.00 9DEC WAS EA MEX395.00 AA XDFW AA WAS395.00 TL790.00

USD 3.00US

USD 793.00

CHECK

001 7230013527 2 ☐

0011

41601327600

TRAVEL VOUCHER
(Read the Privacy Act Statement on the back)

1. DEPARTMENT OR ESTABLISHMENT, BUREAU DIVISION OR OFFICE
Federal Emergency Management Agency

2. TYPE OF TRAVEL
☒ TEMPORARY DUTY
☐ PERMANENT CHANGE OF STATION

3. VOUCHER NO

4. SCHEDULE NO

5. TRAVELER (PAYEE)
a. NAME (Last, first, middle initial): Giuffrida, Louis O.
b. SOCIAL SECURITY NO: 046-18-6736
c. MAILING ADDRESS (Include ZIP Code):
FEMA
500 C Street, SW
Washington, DC 20472
d. OFFICE TELEPHONE NO: 202/287-0330
e. PRESENT DUTY STATION: Washington, DC
f. RESIDENCE (City and State): Falls Church, VA

6. PERIOD OF TRAVEL
a. FROM: 12/9/83
b. TO: 12/13/83

7. TRAVEL AUTHORIZATION
a. NUMBER(S): D1008K
b. DATE(S): 12/5/83

8. TRAVEL ADVANCE
a. Outstanding: 300.00
b. Amount to be applied: 300.00
c. Amount due Government (Attached ☐ Check ☐ Cash)
D. Balance outstanding

9. CASH PAYMENT RECEIPT
a. DATE RECEIVED
b. AMOUNT RECEIVED $
c. PAYEE'S SIGNATURE

10. CHECK NO

11. PAID BY

12. GOVERNMENT TRANSPORTATION REQUESTS, OR TRANSPORTATION TICKETS, IF PURCHASED WITH CASH *(List by number below and attach passenger coupon; if cash is used show claim on reverse side.)*

I hereby assign to the United States any right I may have against any parties in connection with reimbursable transportation charges described below, purchased under cash payment procedures (FPMR 101-7) ▶ *Traveler's Initials*

	AGENT'S VALUATION OF TICKET (a)	ISSUING CARRIER (Initials) (b)	MODE, CLASS OF SERVICE AND ACCOMMODATIONS (c)	DATE ISSUED (d)	POINTS OF TRAVEL FROM (e)	POINTS OF TRAVEL TO (f)
	$793	AA	F	12/5/83	Washington, DC AND RETURN [illegible]	Mexico City, Mexico

13. I certify that this voucher is true and correct to the best of my knowledge and belief, and that payment or credit has not been received by me. When applicable, per diem claimed is based on the average cost of lodging incurred during the period covered by this voucher.
TRAVELER SIGN HERE ▶ Louis O. Giuffrida
DATE 27 Dec 83
AMOUNT CLAIMED ▶ $ 342.55
NOTE: Falsification of an item in an expense account works a forfeiture of claim (28 U.S.C. 2514) and may result in a fine of not more than $10,000 or imprisonment for not more than 5 years or both (18 U.S.C. 287, and 1001).

14. This voucher is approved. Long distance telephone calls, if any, are certified as necessary in the interest of the Government. *(NOTE: If long distance telephone calls are included, the approving official must have been authorized in writing by the head of the department or agency to so certify (31 U.S.C. 680a).)*
APPROVING OFFICIAL SIGN HERE ▶ Dennis W. Boyd, Comptroller
DATE

15. LAST PRECEDING VOUCHER PAID UNDER SAME TRAVEL AUTHORIZATION
a. VOUCHER NO
b. D.O. SYMBOL
c. MONTH & YEAR

16. THIS VOUCHER IS CERTIFIED CORRECT AND PROPER FOR PAYMENT
AUTHORIZED CERTIFYING OFFICIAL SIGN HERE ▶ Dennis W. Boyd, Comptroller
DATE

17. *FOR FINANCE OFFICE USE ONLY*
COMPUTATION

	$	
a. DIFFERENCES IF ANY *(Explain and show amount)*		
b. TOTAL VERIFIED CORRECT FOR CHARGE TO APPROPRIATION LP 1/9/84 *Certifier's initials*	$ 342	55
c. APPLIED TO TRAVEL ADVANCE *(Appropriation symbol)*	$ 300	00
d. NET TO TRAVELER ▶	$ 42	55

18. ACCOUNTING CLASSIFICATION
84-9-1010-2110-2-0100

SCHEDULE OF EXPENSES AND AMOUNTS CLAIMED

INSTRUCTIONS TO TRAVELER *(Unlisted items are self explanatory)*

Col (c) If the voucher includes per diem allowances for members of employee's immediate family, show members' names, ages and relationship to employee and marital status of children (unless information is shown on the travel authorization.)

Complete only for actual expense travel
- *Col (d) thru (g)* Show amount incurred for each meal, including tax and tips, and daily total meal cost
- *(h)* Show expenses, such as laundry, cleaning and pressing of clothes, tips to bellboys, porters, etc. (other than for meals)

(i) Complete for per diem and actual expense travel
(j) Show total subsistence expense incurred for actual expense travel
(m) Show per diem amount, limited to maximum rate, or if travel on actual expense, show the lesser of the amount from col. (j) or maximum rate
(n) Show expenses, such as taxi/limousine fares, air fare (if purchased with cash), local or long distance telephone calls for Government business, car rental, relocation other than subsistence, etc.

Complete this information if this is a continuation sheet PAGE 2 OF 2 PAGES

TRAVEL AUTHORIZATION NO
01008K

TRAVELER'S LAST NAME
Giuffrida

DATE 19 83 (a)	TIME (Hour and am/pm) (b)	DESCRIPTION (Departure/arrival city, per diem computation, or other explanations of expense) (c)	ITEMIZED SUBSISTENCE EXPENSES — MEALS — BREAKFAST (d)	LUNCH (e)	DINNER (f)	TOTAL (g)	MISCELLANEOUS SUBSISTENCE (h)	LODGING (i)	TOTAL SUBSISTENCE EXPENSE (j)	MILEAGE RATE ¢ — NO. OF MILES (k)	AMOUNT CLAIMED — MILEAGE (l)	SUBSISTENCE (m)	OTHER (n)
12/12		taxi fare											8.00
12/13	4:35p	Dpt Mexico via AA 354	4.59										
		official calls											.40
		official baggage handling in Mexico											6.00
12/14	12:10a	Arv National											
		official baggage handling at National											6.00
		Exchange Rate: 147 Mexican pesos equals $1 American											
		High rate geographical area; maximum allowable actual subsistence rate of $78 applicable due to high lodging cost.											
		*No additional fee was charged by Hotel for Mrs. Giuffrida occupying suite with Mr. Giuffrida.											
										SUBTOTALS ▶			20.40
										TOTALS ▶			20.40

If additional space is required, continue on another SF 1012-A BACK leaving the front blank

In compliance with the Privacy Act of 1974, the following information is provided. Solicitation of the information on this form is authorized by 5 U S C Chap. 57 as implemented by the Federal Travel Regulations (FPMR 101 7), E O 11609 of July 22, 1971, E O 11012 of March 27, 1962, E O 9397 of November 22, 1943, and 26 U S C 6011(b) and 6109. The primary purpose of the requested information is to determine payment or reimbursement to eligible individuals for allowable travel and/or relocation expenses incurred under appropriate administrative authorization and to record and maintain costs of such reimbursements to the Government. The information will be used by officers and employees who have a need for the information in the performance of their official duties. The information may be disclosed to appropriate Federal, State, local, or foreign agencies, when relevant to civil, criminal, or regulatory investigations or prosecutions, or when pursuant to a requirement by this agency in connection with the hiring or firing of an employee, the issuance of a security clearance, or investigations of the performance of official duty while in Government service. Your Social Security Account Number (SSN) is solicited under the authority of the Internal Revenue Code (26 U S C 6011(b) and 6109) and E O 9397, November 22, 1943, for use as a tax payer and/or employee identification number; disclosure is MANDATORY on vouchers claiming travel and/or relocation allowance expense reimbursement which is, or may be, taxable income. Disclosure of your SSN and other requested information is voluntary in all other instances; however, failure to provide the information (other than SSN) required to support the claim may result in delay or loss of reimbursement.

Enter grand total of columns (l), (m) and (n), below and in item 13 on the front of this form.

TOTAL AMOUNT CLAIMED ▶ $342.55

STANDARD FORM 1012 BACK (10-77)

SCHEDULE OF EXPENSES AND AMOUNTS CLAIMED

INSTRUCTIONS TO TRAVELER *(Unlisted items are self explanatory)*

Col (c) If the voucher includes per diem allowances for members of employee's immediate family, show members' names, ages, and relationship to employee and marital status of children (unless information is shown on the travel authorization.)

Complete only for actual expense travel: Col (d) thru (g) Show amount incurred for each meal, including tax and tips, and daily total meal cost

(h) Show expenses, such as laundry, cleaning and pressing of clothes, tips to bellboys, porters, etc. (other than for meals)

(i) Complete for per diem and actual expense travel

(j) Show total subsistence expense incurred for actual expense travel

(m) Show per diem amount, limited to maximum rate, or if travel on actual expense, show the lesser of the amount from col. (j) or maximum rate

(n) Show expenses, such as taxi/limousine fares, air fare (if purchased with cash), local or long distance telephone calls for Government business, car rental, relocation other than subsistence, etc.

Complete this information if this is a continuation sheet: PAGE 1 OF 2 PAGES

TRAVEL AUTHORIZATION NO. 01008K

TRAVELER'S LAST NAME Giuffrida

DATE 19 83 (a)	TIME (Hour and am/pm) (b)	DESCRIPTION (Departure/arrival city, per diem computation, or other explanations of expense) (c)	ITEMIZED SUBSISTENCE EXPENSES: MEALS: BREAKFAST (d)	LUNCH (e)	DINNER (f)	TOTAL (g)	MISCELLANEOUS SUBSISTENCE (h)	LODGING (i)	TOTAL SUBSISTENCE EXPENSE (j)	MILEAGE RATE ¢ NO. OF MILES (k)	AMOUNT CLAIMED: MILEAGE (l)	SUBSISTENCE (m)	OTHER (n)
12/9	6:10a	Dpt Residence via GOV to National											
	6:40a	Arv National											
		official baggage handling at National											6.00
	7:50a	Dpt National via EA 907											
	11:59a	Arv Mexico			14.00			*43.52	57.52			57.52	
		official baggage handling in Mexico											6.00
		taxi fare											10.00
12/10		In Mexico	2.53	10.00	14.00	26.53		43.52	70.05			70.05	
		taxi fare											8.00
12/11		In Mexico	7.09	12.00	14.00	33.09		43.52	76.61			76.61	
		taxi fare											10.00
12/12		In Mexico	8.55	11.21	24.49	44.25		43.62	87.77			78.00	
									SUBTOTALS ▶			282.18	40.00
									TOTALS ▶			282.18	40.00

If additional space is required, continue on another SF 1012-A BACK leaving the front blank.

In compliance with the Privacy Act of 1974, the following information is provided: Solicitation of the information on this form is authorized by 5 U.S.C. Chap. 57 as implemented by the Federal Travel Regulations (FPMR 101-7), E.O. 11609 of July 22, 1971, E.O. 11012 of March 27, 1962, E.O. 9397 of November 22, 1943, and 26 U.S.C. 6011(b) and 6109. The primary purpose of the requested information is to determine payment or reimbursement to eligible individuals for allowable travel and/or relocation expenses incurred under appropriate administrative authorization and to record and maintain costs of such reimbursements to the Government. The information will be used by officers and employees who have a need for the information in the performance of their official duties. The information may be disclosed to appropriate Federal, State, local, or foreign agencies, when relevant to civil, criminal, or regulatory investigations or prosecutions, or when pursuant to a requirement by this agency in connection with the hiring or firing of an employee, the issuance of a security clearance, or investigations of the performance of official duty while in Government service. Your Social Security Account Number (SSN) is solicited under the authority of the Internal Revenue Code (26 U.S.C. 6011(b) and 6109) and E.O. 9397, November 22, 1943, for use as a tax payer and/or employee identification number; disclosure is MANDATORY on vouchers claiming travel and/or relocation allowance expense reimbursement which is, or may be, taxable income. Disclosure of your SSN and other requested information is voluntary in all other instances; however, failure to provide the information (other than SSN) required to support the claim may result in delay or loss of reimbursement.

Enter grand total of columns (l), (m) and (n), below and in item 13 on the front of this form.

TOTAL AMOUNT CLAIMED ▶ $342.55

☆U.S. GPO 1982-0-381-528/7471

TRAVEL VOUCHER

(Read the Privacy Act Statement on the back)

1. DEPARTMENT OR ESTABLISHMENT, BUREAU DIVISION OR OFFICE: Federal Emergency Management Agency

2. TYPE OF TRAVEL: ☒ TEMPORARY DUTY ☐ PERMANENT CHANGE OF STATION

3. VOUCHER NO.

4. SCHEDULE NO.

5. TRAVELER (PAYEE)

a. NAME (Last, first, middle initial): Giuffrida, Genevieve T.

b. SOCIAL SECURITY NO.: 034-20-4871

c. MAILING ADDRESS (Include ZIP Code):
1931 Relda Court
Falls Church, VA 22043

d. OFFICE TELEPHONE NO.

e. PRESENT DUTY STATION

f. RESIDENCE (City and State): Falls Church, VA

6. PERIOD OF TRAVEL

a. FROM: 3/24/84

b. TO: 4/10/84

7. TRAVEL AUTHORIZATION

a. NUMBER(S): 01013K

b. DATE(S): 3/12/84

8. TRAVEL ADVANCE

a. Outstanding	None
b. Amount to be applied	None
c. Amount due Government (Attached ☐ Check ☐ Cash)	None
D. Balance outstanding	None

9. CASH PAYMENT RECEIPT

a. DATE RECEIVED

b. AMOUNT RECEIVED $

c. PAYEE'S SIGNATURE

10. CHECK NO.

11. PAID BY

12. GOVERNMENT TRANSPORTATION REQUESTS, OR TRANSPORTATION TICKETS, IF PURCHASED WITH CASH *(List by number below and attach passenger coupon; if cash is used show claim on reverse side.)*

I hereby assign to the United States any right I may have against any parties in connection with reimbursable transportation charges described below, purchased under cash payment procedures (FPMR 101-7). ▶ *Traveler's Initials*

	AGENT'S VALUATION OF TICKET (a)	ISSUING CARRIER (Initials) (b)	MODE, CLASS OF SERVICE AND ACCOMMODATIONS (c)	DATE ISSUED (d)	POINTS OF TRAVEL FROM (e)	POINTS OF TRAVEL TO (f)
H-0,217,152	$4293.00	TWA	F,P,C	3/19/84	Washington, DC	Brussels, Belgium
					Brussels, Belgium	Rome, Italy
					Rome, Italy	Tel Aviv, Israel
					Tel Aviv, Israel	Paris, France
					Paris, France	Washington, DC

ACCOUNTING DIVISION DOCUMENT ... JUN 1 11 28 AM '84 FEDERAL EMERGENCY MANAGEMENT AGENCY

OFFICE OF COMPTROLLER JUN 1 10 27 AM '84

13. I certify that this voucher is true and correct to the best of my knowledge and belief, and that payment or credit has not been received by me. When applicable, per diem claimed is based on the average cost of lodging incurred during the period covered by this voucher.

TRAVELER SIGN HERE ▶ Genevieve T. Giuffrida
Genevieve T. Giuffrida

DATE 26 April '84

AMOUNT CLAIMED ▶ .00

NOTE: *Falsification of an item in an expense account works a forfeiture of claim (28 U.S.C. 2514) and may result in a fine of not more than $10,000 or imprisonment for not more than 5 years or both (18 U.S.C. 287, i.d. 1001).*

14. This voucher is approved. Long distance telephone calls, if any, are certified as necessary in the interest of the Government. *(NOTE: If long distance telephone calls are included, the approving official must have been authorized in writing by the head of the department or agency to so certify (31 U.S.C. 680a).)*

APPROVING OFFICIAL SIGN HERE ▶ Fred J. Villella
Exec Dep Dir

DATE

15. LAST PRECEDING VOUCHER PAID UNDER SAME TRAVEL AUTHORIZATION

a. VOUCHER NO.

b. D.O. SYMBOL

c. MONTH & YEAR

16. THIS VOUCHER IS CERTIFIED CORRECT AND PROPER FOR PAYMENT

AUTHORIZED CERTIFYING OFFICIAL SIGN HERE ▶ Dennis W. Boyd
Comptroller

DATE

17. *FOR FINANCE OFFICE USE ONLY*
COMPUTATION

	$
a. DIFFERENCES, IF ANY *(Explain and show amount)*	
b. TOTAL VERIFIED CORRECT FOR CHARGE TO APPROPRIATION *Certifier's initials:*	$
c. APPLIED TO TRAVEL ADVANCE *(Appropriation symbol):*	$
d. NET TO TRAVELER ▶	$

18. ACCOUNTING CLASSIFICATION

84-9-1010-2110-2-0100

1012-114

NSN 7540-00-634-4180

STANDARD FORM 1012 (REV. 10-77)
Prescribed by GSA, FPMR (41 CFR) 101-7

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LAIMED

INSTRUCTIONS TO TRAVELER *(Unlisted items are self explanatory)*

Col (c) If the voucher includes per diem allowances for members of employee's immediate family, show members' names, ages, and relationship to employee and marital status of children (unless information is shown on the travel authorization.)

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(n) Show expenses, such as taxi/limousine fares, air fare (if purchased with cash), local or long distance telephone calls for Government business, car rental, relocation other than subsistence, etc

Complete this information if this is a continuation sheet PAGE 1 OF 1 PAGES

TRAVEL AUTHORIZATION NO 01013K

TRAVELER'S LAST NAME Giuffrida, G

DATE 19 84 (a)	TIME (Hour and am/pm) (b)	DESCRIPTION (Departure/arrival city, per diem computation, or other explanations of expense) (c)	ITEMIZED SUBSISTENCE EXPENSES: MEALS: BREAKFAST (d)	LUNCH (e)	DINNER (f)	TOTAL (g)	MISCELLANEOUS SUBSISTENCE (h)	LODGING (i)	TOTAL SUBSISTENCE EXPENSE (j)	MILEAGE RATE ¢ NO. OF MILES (k)	AMOUNT CLAIMED: MILEAGE (l)	SUBSISTENCE (m)	OTHER (n)
		NO EXPENSES CLAIMED											
									SUBTOTALS ▶				
									TOTALS ▶				

If additional space is required, continue on another SF 1012-A BACK, leaving the front blank

In compliance with the Privacy Act of 1974, the following information is provided. Solicitation of the information on this form is authorized by 5 U S C Chap. 57 as implemented by the Federal Travel Regulations (FPMR 101 7), E O 11609 of July 22, 1971, E O 11012 of March 27, 1962, E O 9397 of November 22, 1943, and 26 U S C 6011(b) and 6109. The primary purpose of the requested information is to determine payment or reimbursement to eligible individuals for allowable travel and/or relocation expenses incurred under appropriate administrative authorization and to record and maintain costs of such reimbursements to the Government. The information will be used by officers and employees who have a need for the information in the performance of their official duties. The information may be disclosed to appropriate Federal, State, local, or foreign agencies, when relevant to civil, criminal, or regulatory investigations or prosecutions, or when pursuant to a requirement by this agency in connection with the hiring or firing of an employee, the issuance of a security clearance, or investigations of the performance of official duty while in Government service. Your Social Security Account Number (SSN) is solicited under the authority of the Internal Revenue Code (26 U S C 6011(b) and 6109) and E O 9397, November 22, 1943, for use as a tax payer and/or employee identification number; disclosure is MANDATORY on vouchers claiming travel and/or relocation allowance expense reimbursement which is, or may be, taxable income. Disclosure of your SSN and other requested information is voluntary in all other instances; however, failure to provide the information (other than SSN) required to support the claim may result in delay or loss of reimbursement.

Enter grand total of columns (l), (m) and (n), below and in item 13 on the front of this form.

TOTAL AMOUNT CLAIMED ▶

☆ U.S. GOVERNMENT PRINTING OFFICE : 1983 O - 421-526 (9151)

STANDARD FORM 1012 BACK (10-77)

Federal Emergency Management Agency
Washington, D.C. 20472

4/16/84
10:20 a.m.

MEMORANDUM FOR: Gerald Martin
Executive Administrator

FROM: Arthur E. Curry, Chief
Policy Division
Office of the Comptroller AEC

SUBJECT: Travel Inquiry

On April 16, 1984, at approximately 10:00 a.m., I received a telepho call from a Ms. Val Paraham, Travel Management Section, General Serv Administration, telephone 472-1944.

The purpose of the inquiry was to ascertain the reasons for the difference in cost applicable to the following travel. Each traveler had the same travel itinerary.

Date of Departure	Person	Cost
3/23	Garret Miller	$2,979
	George Patrick	$2,979
3/24	Gerald Martin	$4,709
3/24	Louis O. Giuffrida	$4,298
3/24	Genevieve Giuffrida	$4,298

I asked Ms. Paraham what caused this inquiry. She replied that as part of her travel management oversight responsibilities, she had reviewed a Travel Management Report submitted by the Omega Travel Agency and noticed the difference in costs. I informed her that I would review the matter and provide an explanation.

Federal Emergency Management Agency
Washington, D.C. 20472

MAR 12 1984

Mrs. Genevieve T. Giuffrida
1931 Relda Court
Falls Church, Va. 22043

INVITATIONAL TRAVEL AUTHORIZATION

Dear Mrs. Giuffrida:

You have been invited by the Goverments of Italy and Israel to participate in activities associated with discussions being conducted by the U.S. Representative to NATO's Senior Civil Emergency Planning Committee (SCEPC). Further, the U.S. Delegate to NATO's SCEPC is required to discuss with the Government of France, their interest in developing a consolidated civil emergency preparedness organization. Also, it is necessary for you to participate in the representation requirements associated with the U.S. SCEPC Representative's duties while attending the Plenary Session of the SCEPC in Brussels, also Rome, Tel Aviv and Paris. To accomplish these commitments, you are invited to proceed on or about March 23, 1984, to Brussels, Belgium, Rome, Italy, Tel Aviv, Israel and Paris France and at the conclusion of these events to return to the United States.

FEMA will reimburse the cost of first class common carrier, transportation to and from terminals, and pay you actual subsistence allowance which shall not exceed the daily per diem rates for each country.

Your account for reimbursable expenses will be kept open sixty days after completion of your trip. Please fill out the enclosed FEMA Form 20-2, "Travel Schedule and Expenses," and send it to our Office of International Affairs as soon after completion of the trip as possible. A postage paid pre-addressed envelope is enclosed for this purpose. A travel voucher will then be prepared and forwarded to you for your signature. It will be processed for payment as soon as it is received from you.

Sincerely,

Fred J. Villella
Executive Deputy Director

Enclosure

TA # 01012K
Appropriation 84-9-1010-2110-2-0100
Approximate Cost $7,200.00

Federal Emergency Management Agency
Washington, D.C. 20472

Mrs. Genevieve T. Giuffrida
1931 Relda Court
Falls Church, Va. 22043

INVITATIONAL TRAVEL AUTHORIZATION

Dear Mrs. Giuffrida:

You have been invited by the Goverments of Italy and Israel to participate in activities associated with discussions being conducted by the U.S. Representative to NATO's Senior Civil Emergency Planning Committee (SCEPC). Further, the U.S. Delegate to NATO's SCEPC is required to discuss with the Government of France, their interest in developing a consolidated civil emergency preparedness organization. Also, it is necessary for you to participate in the representation requirements associated with the U.S. SCEPC Representative's duties while attending the Plenary Session of the SCEPC in Brussels, also Rome, Tel Aviv and Paris. To accomplish these commitments, you are invited to proceed on or about March 23, 1984, to Brussels, Belgium, Rome, Italy, Tel Aviv, Israel and Paris France and at the conclusion of these events to return to the United States.

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Sincerely,

Fred J. Villella
Executive Deputy Director

Enclosure

TA # ____________________

Appropriation ______________

Approximate Cost ___________

TALKING POINTS
For Discussions With
Prefect Gomez y Paloma
Director General of Civil Protection and Anti-Fire Service

Background.

You have met with Prefect Paloma both in Washington and Brussels. During his most recent visit to Washington, he was briefed on FEMA's roles and missions, toured the EICC and was briefed on emergency operations. However, Prefect Paloma was recalled to Rome. You may recall during his visit he invited you to visit Rome and he also invited you and Mrs. Giuffrida to stay at his farm during your first weekend in Italy. The invitation was declined. In view of declining his invitation, you may wish to express your disappointment, but you had other commitments that were previously arranged.

You May Wish To Raise.

- Your disappointment in not seeing him in Brussels etc.
- Reinforce your gains in emergency management with the U.S. e.g., the Integrated Emergency Management System, also, the current status of the Emergency Mobilization Preparedness Board.
- Your experience before the Congress during the annual hearings on budget. All Alliance countries are having economic troubles. You can explain our difficulties with imbalance of trade and the deficit, which directly effects the President's ability to establish his budgetary priorities.

הועדה לאנרגיה אטומית
ATOMIC ENERGY COMMISSION

DIVISION
OF OPERATION & ORGANIZATION

TEL-AVIV, ISRAEL
P.O.B. 7061, TEL. 415111-6
CODE 61070

Cables:
Atomenergy Tel-Aviv
TELEX: 33430 ST PF IL

ת ד
415111-6 .
6107

ניסן 7
7/3/19

Mr. Louis O. Giuffrida
Director, Federal Emergency Management Agency
Washington D.C. 20472
U.S.A

Dear Mr. Guiffrida,

I am happy to hear that your visit to Israel has been finalized and that we will have the occasion to spend time with you at the Israel Atomic Energy Commission on Thurs. afternoon, April 5.

I realize that a 3 hour meeting with our people is not enough to cover the wide spectrum of Emergency Operations. I therefore sugest that you dwell, if possible, on the following points:

1) The organization of U.S Emergency Services, overview and historic perspectives.
2) Organization for large scale peacetime emergency, particularly the nuclear reactor (power station and naval vessel) accidents.
3) Emergency organization and operations in wartime.
4) Population sheltering and large scale evacuation.
5) Emergency service (communications, medical, etc.), emergency equipment and instrumentation.

.../2

6) Public information, acceptance and cooperation.
7) Large scale exercises (on national and state level) for nuclear reactor accidents.

brief by XOC

I think that the time would be best spent if you would open with a 1-1½ hour talk and leave the remaining time open for discussion.

We look forward to have you with us.

Yours very truly

Avi Ziv

מדינת ישראל
STATE OF ISRAEL
MINISTRY OF DEFENCE
MELACH - National Emergency Economy Board

Tel-Aviv, February 26, 1984

Mr. George Patrick
Director of International Affairs
Federal Emergency Management Agency
Washington, D.C. 20472
U.S.A.

Dear Mr. Patrick,

Following is a suggested program for the visit of Mr. and Mrs. Louis O. Giuffrida in Israel during the dates of April 3-7, 1984.

Due to the short period allocated for this visit, we will not be able to present a wide spectrum of topics we wanted to present - including various institutes which are attached to the activities of FEMA, e.g. the I.D.F Civil Defense Corps, training base, etc.

As understood from your conversation with Mr. Moshe Gat, Mr. and Mrs. Giuffrida will arive on Tuesday evening, the 3rd of April, and will depart on Saturday, the 7th of April. We are planning the program of visit according to these dates.

The escort for this visit will be Col. (Res.) Etan Shimshoni - Chief of Staff of National Emergency Economy Committee of the Northern Command.

The suggested program includes:

- One day in Jerusalem, including: meeting with Israel Minister of Internal Affairs and his deputies responsible for PESACH (E.R.D. - Evacuation of Civilians, Relief and social assistance to the homeless and Burial of Dead), the General Commander of the Police and the Commander of the Civil Guards; visit to the Israel Parliament (Knesset) and tour of main sites of New and Old Jerusalem, and Bethlehem.

- One day in Tel-Aviv, including: meetings with Israel Minister of Defense and the Director General of the Ministry of Defense, with I.D.F. Officers; visit to the Special Unit of the Police and an afternoon and evening with the Israel Atomic Energy Commission.

- One day in Northern Israel, including Nazareth, Tiberias and the Sea of Galilee, Capernaum and a kibbutz.

During the meetings of Mr. Giuffrida, Mrs. Giuffrida will be taken to sightseeing tours to places of interest in the area.

We are looking forward to getting from you further details about the visit.

Sincerely,

A. Caspi

Ami Caspi
Public Information Officer-MELACH

Federal Emergency Management Agency
Washington, D.C. 20472

February 24, 1984

MEMORANDUM FOR: The Comptroller

FROM: Fred J. Villella
Executive Deputy Director

SUBJECT: Accommodations While on Travel Status

In connection with the Director's NATO responsibilities as the United States Representative to the Senior Civil Emergency Planning Committee (SCEPC), he will attend the SCEPC Plenary meeting scheduled to be held in Brussels, Belgium March 28-29, 1984.

Subsequent to the SCEPC meeting in Brussels, the Director and his party will travel to Italy and Israel at the invitation of those Governments to discuss civil protection and civil preparedness issues. In view of the fact that these consultations will be tightly scheduled, it is required that the Director and his party utilize hotel accommodations that are in close proximity to the places where the discussions are scheduled. Further, the representation requirements placed on the Director during these visits dictate that his accommodations are such that he may accomplish these tasks.*

Therefore, it is determined that in accordance with GAO decision B-209375, that the American Embassy in Italy and Israel utilize FEMA fund citation to compensate the hotels for accommodations required for the Director and his party.

* The hotel accommodations were arranged for by the American Embassy, Rome and the American Embassy, Tel Aviv.

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DRAFTED BY FEMA:GHPATRICK
APPROVED BY EUR/RPM:JHHAWES
EUR/RPM/D:SCKISH
EUR/WE:RSMOLIN
NEA/IAI:JHERBST
EUR/RPM/D:MEDOREN

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INFO FEMA WASHDC

CONFIDENTIAL STATE 030225

E.O. 12356: DECL: OADR
TAGS: OTRA
SUBJECT: VISITS OF THE DIRECTOR, FEDERAL EMERGENCY MANAGEMENT AGENCY

REFS: (A) ROME 53
(B) STATE 340622
(C) ROME 28257
(D) ROME 01731

1. THE HONORABLE LOUIS O. GIUFFRIDA (EXECUTIVE LEVEL 2) DIRECTOR, FEDERAL EMERGENCY AGENCY (FEMA), WILL HEAD THE U.S. DELEGATION TO THE NATO SENIOR CIVIL EMERGENCY PLANNING COMMITTEE (SCEPC) MEETING IN PLENARY SESSION AT HQ NATO. AT THE CONCLUSION OF THE SCEPC MEETING, MR. GIUFFRIDA WILL TRAVEL TO ROME MARCH 29 - APRIL 3; AND TO TEL AVIV APRIL 3-7, 1984, AT THE INVITATION OF THE GOVERNMENTS OF ITALY AND ISRAEL.

2. MR. GIUFFRIDA WILL BE ACCOMPANIED BY MRS. GIUFFRIDA; MR. GERALD S. MARTIN, (SES-6) EXECUTIVE ADMINISTRATOR, FEMA; MR. GEORGE H. PATRICK, DIRECTOR, OFFICE OF INTERNATIONAL AFFAIRS, FEMA; AND MR. GARRETT S. MILLER, INTERNATIONAL RELATIONS OFFICER, FEMA. TRAVEL ARRANGEMENTS WILL BE FORWARDED BY SEPTEL.

3. FOR U.S. MISSION NATO: WHILE IN BRUSSELS, MR. GIUFFRIDA WISHES TO MEET WITH THE AMBASSADOR AND OTHER SENIOR OFFICIALS AS THE MISSION DEEMS APPROPRIATE. REQUEST THE MISSION ARRANGE HOTEL ACCOMMODATIONS FOR MR. AND MRS. GIUFFRIDA AND PARTY AT THE ROYAL WINDSOR IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

MR. AND MRS. LOUIS O. GIUFFRIDA, NIGHTS OF MARCH 25-28 INCLUSIVE (DOUBLE WITH BATH);

MR. GERALD S. MARTIN, NIGHTS OF MARCH 25-28, INCLUSIVE (SINGLE WITH BATH);

MR. GEORGE H. PATRICK, NIGHTS OF MARCH 24-28, INCLUSIVE (SINGLE WITH BATH);

MR GARRETT S. MILLER, NIGHTS OF MARCH 24-27, INCLUSIVE (SINGLE WITH BATH).

NOTE: MESSRS. GIUFFRIDA, MARTIN, PATRICK AND MILLER

STATE 030225 4070 EUR

HOLD CTS SECURITY CLEARANCES).

ALSO, IT IS REQUESTED THAT OFFICIAL TRANSPORTATION BE PROVIDED THE PARTY FROM MARCH 25 UNTIL DEPARTURE.

Clino
SCEPC

4. FOR AMEMBASSY ROME:

(A) MR. AND MRS. GIUFFRIDA AND PARTY WILL ARRIVE IN ROME DURING THE EVENING OF MARCH 29. (DETAILED TRAVEL SCHEDULE FOLLOWS IN SEPTEL.) I WOULD BE APPRECIATED IF THE EMBASSY WOULD PROVIDE THE CUSTOMARY COURTESIES UPON ARRIVAL AND DEPARTURE. ALSO, IT WOULD BE MOST CONVENIENT IF OFFICIAL TRANSPORTATION COULD BE MADE AVAILABLE DURING THE PARTY'S STAY IN ROME. IF THIS IS A PROBLEM, WE WILL PROVIDE A FUND CITE FOR COMMERCIAL TRANSPORTATION WITH A BILINGUAL DRIVER. WE WOULD APPRECIATE IT IF THE EMBASSY WOULD ARRANGE HOTEL ACCOMODATIONS, IN CLOSE PROXIMITY OF THE EMBASSY FOR THE PARTY, IN ACCORDANCE TO THE FOLLOWING SCHEDULE:

MR. AND MRS. GIUFFRIDA, NIGHTS OF MARCH 29 - APRIL 2, INCLUSIVE (DOUBLE WITH BATH);

MR. MARTIN, NIGHTS OF MARCH 29 - APRIL 2, INCLUSIVE (SINGLE WITH BATH);

MR. PATRICK, NIGHTS OF MARCH 29 - APRIL 2, INCLUSIVE (SINGLE WITH BATH);
MR. MILLER, NIGHTS OF MARCH 28 - APRIL 1, INCLUSIVE (SINGLE WITH BATH).

IT WOULD BE MOST CONVENIENT IF ALL MEMBERS OF MR. GIUFFRIDA'S PARTY COULD BE BILLETED IN THE SAME HOTEL. (B.) REGARDING INVITATION IN REFTEL D, BECAUSE OF PREVIOUS COMMITMENTS IT IS WITH REGRET THAT MR. AND MRS. GIUFFRIDA WILL BE UNABLE TO ACCEPT THE KIND OF INVITATION OF THE DIRECTOR OF CIVIL PROTECTION, PREFECT GOMEZ Y PALOMA, TO SPEND THE WEEKEND OF MARCH 30 -- APRIL 1, AT THE COUNTRY HOME OF THE PREFECT. DURING THE ROME VISIT MR. GIUFFRIDA WISHES TO VISIT WITH THE AMBASSADOR AND THE RECOMMENDEDITALIAN OFFICIALS, AS PROPOSED IN REFTEL A AND D. ALSO, HE IS DESIROUS OF MEETING WITH: UNDER SECRETARY SUSANNA AGNELLI, MINISTRY OF FOREIGN AFFAIRS ANDAMBASSADOR-DESIGNATE WILSON. IF IT COULD BE ARRANGED, A SPECIAL AUDIENCE WITH THE POPE FOR MR. AND MRS. GIUFFRIDA WOULD BE APPRECIATED. CURRENTLY, MR. GIUFFRIDA WILL DEPART ROME MID-DAY ON APRIL 3.

5. FOR AMEMBASSY TEL AVIV: MR. AND MRS. GIUFFRIDA AND PARTY WILL ARRIVE IN TEL AVIV LATE AFTERNOON APRIL 3. (DETAILED TRAVEL SCHEDULE FOLLOWS IN SEPTEL.) FOR PLANNING, MR. MOSHE GAT, ACTING CHAIRMAN OF THE SUPREME NATIONAL EMERGENCY ECONOMY BOARD, IS PREPARING A SCHEDULE FOR THE VISIT. HOWEVER, WOULD APPRECIATE THE EMBASSY'S ASSISTANCE IN OVERSEEING DEVELOPMENT OF THE SCHEDULE FOR MR. GIUFFRIDA. IT WOULD BE MOST HELPFUL IF THE EMBASSY COULD ARRANGE HOTEL ACCOMMODATIONS AS FOLLOWS:

MR. AND MRS. GIUFFRIDA, NIGHTS OF APRIL 3-6, INCLUSIV- (DOUBLE WITH BATH);

MR. MARTIN, NIGHTS OF APRIL 3-6, INCLUSIVE (SINGLE WITH BATH);

MR. PATRICK, NIGHTS OF APRIL 3-6, INCLUSIVE (SINGLE WITH BATH);

MR. MILLER, NIGHTS OF APRIL 1-6, INCLUSIVE (SINGLEWITH

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BATKI.

MR. GIUFFRIDA WOULD APPRECIATE A MEETING WITH THE AMBASSADOR AND SENIOR OFFICIAL OF THE GOVERNMENT OF ISRAEL AS THE EMBASSY DEEMS APPROPRIATE.

5. FOR ALL ADDRESSEES: REQUEST SCHEDULE OF MEETINGS, TOGETHER WITH NAMES AND TITLES OF OFFICIALS INVOLVED, AND THE NAMES AND TELEPHONE NUMBERS OF POINTS OF CONTACT BE PROVIDED SO THAT FINAL PREPARATION MAY BE MADE. WASHINGTON POINT OF CONTACT FOR THIS VISIT IS GEORGE W. PATRICK, DIRECTOR, OFFICE OF INTERNATIONAL AFFAIRS, FEMA, TELEPHONE (202) 287-0410. DAM

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LIMITED OFFICIAL USE ROME 00053 ?

E.O. 12356: N/A
TAGS: OTRA (GIUFFRIDA, LOUIS O.)
SUBJECT: VISIT OF FEMA DIRECTOR GIUFFRIDA TO ROME

340622

REF: A) ROME 28257, B) STATE 34[illegible]

1. LOU - ENTIRE TEXT.

2. THE MINISTRY OF INTERIOR'S DIRECTOR FOR CIVIL PROTECTION, MINISTER GOMEZ Y PALOMA, CONFIRMS THAT THE PERIOD MARCH 29 - APRIL 3 (INCLUSIVE) IS ACCEPTABLE.

3. DIRECTOR GIUFFRIDA'S VISIT SHOULD ALSO INCLUDE A MEETING AT THE MINISTRY FOR CIVIL PROTECTION WITH CABINET MINISTER SCOTTI, WHICH WE WILL ENDEAVOR TO ARRANGE. IF DIRECTOR GIUFFRIDA HAS SPECIFIC DESIRES FOR HIS VISIT TO ROME, PLEASE ADVISE. [illegible]
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LIMITED OFFICIAL USE ROME 01731

E.O. 12356: N/A
TAGS: OTRA (GIUFFRIDA, LOUIS O.)
SUBJECT: VISIT OF FEMA DIRECTOR GIUFFRIDA TO ROME.
MARCH 29 - APRIL 3, 1984

REF: ROME 53, B) 83 STATE 349622, C) 83 ROME 28257

1. LOU - ENTIRE TEXT

2. THE OFFICE OF THE DIRECTOR OF CIVIL PROTECTION, PREFECT GOMEZ Y PALOMA, HAS CALLED US TO EXTEND GOMEZ' INVITATION TO DIRECTOR AND MRS. GIUFFRIDA TO SPEND A WEEKEND WITH HIM AT HIS COUNTRY HOME DURING GIUFFRIDA'S VISIT HERE IN MARCH. GOMEZ INVITES GIUFFRIDA TO VISIT HIS HOME, LOCATED ON A FARM IN TUSCANY (GROSSETO PROVINCE) FROM THE AFTERNOON OF FRIDAY, MARCH 30 TO THE AFTERNOON OF SUNDAY, APRIL 1. GOMEZ' OFFICE SAID THAT IT SHOULD BE POSSIBLE FOR THE GIUFFRIDAS ALSO TO VISIT SIENA OR FLORENCE OVER THE WEEKEND. TRAVEL FROM GOMEZ' FARM WOULD BE ARRANGED BY HELICOPTER.

3. IN ADDITION TO GOMEZ, GIUFFRIDA WILL ALSO WANT TO TRY TO SEE GENERAL MISSORI AT THE MINISTRY OF DEFENSE CIVIL DEFENSE CENTER, AND MINISTER FOR CIVIL PROTECTION SCOTTI DURING HIS VISIT. WE HAVE NOT YET BEGUN DISCUSSION OF HIS SCHEDULE WITH THE ITALIANS, BUT THERE SHOULD BE ENOUGH TIME REMAINING TO FIT IN THE OTHER CALLS IN THE EVENT GIUFFRIDA ACCEPTS GOMEZ' INVITATION.

4. PLEASE ADVISE. EMBASSY CONTROL OFFICER IS POL/MIL OFFICER JAMES CUNNINGHAM, PHONE 4674, EXTENSION 161.

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מדינת ישראל
STATE OF ISRAEL
MINISTRY OF DEFENCE

ACTING CHAIRMAN OF THE SUPREME
NATIONAL EMERGENCY ECONOMY BOARD

Tel-Aviv, December 16, 1983

Mr. Louis O. Giuffrida
Director of Federal Emergency Management Agency
Washington D.C. 20472
U.S.A.

Dear Mr. Giuffrida,

Upon returning from my short visit in Washington in Nov. 1982, we feel that there are various topics in the field of Economic Defence which are common in the planning of our two countries.

We think that it will be of mutual benefit and importance to have an exchange of ideas and views with you on the methods of operating industry, production and vital services as well as population evacuation during emergency.

I have the honor to invite you and your wife officially to visit the State of Israel as guests of the Israeli Supreme National Emergency Economy Board, headed by the Israeli Minister of Defense Prof. Moshe Arens. We suggest that you visit Israel during the first half of the month of April 1984.

During your visit we hope to have the opportunity to discuss common subjects and to present to you the organization and preparation for times of emergency including the forming up of local councils.

Looking forward to hear from you soon,

Sincerely,

M. Gat.

Moshe Gat

ROUTINE

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Department of State

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TO AMEMBASSY TEL AVIV
INFO FEMA WASHDC

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E.O. 12356 DECL: OADR
TAGS: OTRA, CEP
SUBJECT: INVITATION TO THE DIRECTOR OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY BY THE GOVERNMENT OF ISRAEL

1. CONFIDENTIAL - ENTIRE TEXT)

2. EMBASSY TEL AVIV PLEASE PASS TO: MR. MOSHE GAT, ACTING CHAIRMAN OF THE SUPREME NATIONAL EMERGENCY ECONOMY BOARD, MINISTRY OF DEFENSE, HAKIRYA, TEL AVIV 61909, ISRAEL.
TEL: (03) 212-686.
DEAR MR. GAT:
THIS MESSAGE IS IN RESPONSE TO YOUR RECENT LETTER TO THE MILITARY ATTACHE OF THE ISRAELI EMBASSY IN WASHINGTON, DC CONCERNING YOUR GOVERNMENT'S KIND INVITATION TO THE HONORABLE AND MRS. LOUIS O. GUIFFRIDA TO VISIT YOUR COUNTRY AS THE GUESTS OF THE SUPREME NAT-ONAL EMERGENCY ECONOMY BOARR. THE DATES AVAILABLE FOR THIS VISIT WOULD BE FROM THE 4TH TO THE 7TH OF APRIL, 1984. I HOPE THESE DATES MEET WITH YOUR APPROVAL. AWAITING FURTHER INFORMATION FROM YOUR OFFICE.
SINCERELY,
(SIGNED) GEORGE H. PATRICK III,
DIRECTOR
OFFICE OF INTERNATIONAL AFFAIRS

FEDERAL EMERGENCY MANAGEMENT AGENCY
500 C STREET, S. W.
WASHINGTON, D. C. 20472 SHULTZ

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Department of State

OUTGOING TELEGRAM

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TO AMEMBASSY ROME
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CONFIDENTIAL STATE 340622

E.O. 12356DECL: OADR
TAGS: OTRA
SUBJECT: INVITATION FROM THE GOI TO THE DIRECTOR FEMA TO VISIT ITALY

REF: ROME 28257, DTG 231853Z NOV 83

1. THE HONORABLE ANDMRS. LOUIS O GUIFFRIDA ACCEPT THE KINN INVITATION OF THE MINISTRY OF INTERIOR DIRECTOR GENERAL FOR CIVIL PROTECTION, GOMEZ Y. PALOMA, TO VISIT ;OME IN THE SPRING, 1984.

2. SINCE THE PLENARY MEETING OF NATO'S SENIOR CIVIL EMERGENCY PLANNING COMMITTEE WILL CONVENE ON 28 MARCH ;ND AGAIN ON 29 MARCH, IT IS ANTICIPATED THAT A VISIT TO ROME MIGHT BE ARRANGED DURING THE PERIOD FROM THE AFTERNOON OF 29 MARCH THROUGH 3 APRIL. IF THIS PERIOD IS ACCEPTABLE, PLEASE ADVISE. SHULTZ

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FEMA WASHDC//IF(PATRICK)//

DEPT OF STATE WASHDC//EUR-RPM(KISH)//

CONFIDENTIAL

SUBJECT: INVITATION FROM THE GOVERNMENT OF ITALY TO THE DIRECTOR, FEDERAL EMERGENCY MANAGEMENT AGENCY

REQUEST THE DEPARTMENT PASS THE FOLLOWING MESSAGE TO AMEMBASSY ROME:

ACTION: AMEMBASSY ROME

INFO: FEMA WASHDC

REF: ROME 28257, DTG 231853Z NOV 83

SUBJECT: INVITATION FROM THE GOI TO THE DIRECTOR FEMA TO VISIT ITALY

1. THE HONORABLE AND MRS. LOUIS O. GIUFFRIDA ACCEPT THE KIND INVITATION OF THE MINISTRY OF INTERIOR DIRECTOR GENERAL FOR CIVIL PROTECTION, GOMEZ Y PALOMA, TO VISIT ROME IN THE SPRING, 1984.

2. SINCE THE PLENARY MEETING OF NATO'S SENIOR CIVIL EMERGENCY PLANNING COMMITTEE WILL CONVENE ON 28 MARCH AND AGAIN ON 29 MARCH, IT IS ANTICIPATED THAT A VISIT TO ROME MIGHT BE ARRANGED DURING THE PERIOD, P.M. 29 MARCH THROUGH 3 APRIL. IF THIS PERIOD IS ACCEPTABLE, PLEASE ADVISE.

XXX

DECLAS OADR

George H. Patrick III, Director
IF -- 287-0410 -- 11/29/83

George H. Patrick III, Director
IF -- 287-0420 -- 11/29/83

CONFIDENTIAL 291555Z NOV

מדינת ישראל
STATE OF ISRAEL
MINISTRY OF DEFENCE

ACTING CHAIRMAN OF THE SUPREME
NATIONAL EMERGENCY ECONOMY BOARD

Tel-Aviv, November 4, 1983

Mr. Louis O. Giuffrida
Director
Federal Emergency Management Agency
Washington, D.C. 20472
U.S.A.

Dear Mr. Giuffrida,

The Military Attache at the Israel Embassy in Washington will forward to you within a few days, an official invitation to visit Israel as a guest of the Supreme National Emergency Economy Board.

We shall be very pleased to welcome you and to present to you our emergency organization and the preparations made by us in time of quiet, including exercises carried out in the local councils.

As soon as we know the date and period of your stay in Israel, we shall send you a draft of the program of the visit.

Looking forward to seeing you soon, I am,

Yours sincerely,

M. Gat.

Moshe Gat

P.S. To my deep regret, I have not received to this day your letter dated September 22, and relating to your wish to visit Israel in February 1984.

I have been informed about it a short while ago, from Mr. Ziv who called me. I have received from him a copy of your letter. This explains the delay in our dealing with the matter.

Office of the Director
Federal Emergency Management Agency
Washington D.C. 20472

September 22, 1983

Mr. Moshe Gat
Acting Chairman of the Supreme
  National Emergency Economy Board
Ministry of Defence
Hakirya
Tel-Aviv 61909
Israel

Dear Mr. Gat:

For the past 2½ years, I have been trying to adjust my schedule so that I can pay an official visit to Israel to discuss civil defens radiological emergency preparedness, and other areas of interest t both our countries. I am now considering February 1984 in conjunction with the NATO meetings.

When you were in my office, you indicated that you would have the Israeli Government make an official request for my visit through our Embassy in Israel. If I am to meet a February schedule, the request to our Embassy needs to be made with the least possible delay.

I would plan to spend a week in Israel and would defer to the Israeli Government to suggest an appropriate itinerary which, at some point, would include visits to Bethlehem and Jerusalem.

I am sending a copy of this letter to Messrs. Ziv and Tadmor (of the Israel Atomic Energy Commission), whom I assume you know since they, too, are interested in having me visit your country.

My Director of International Affairs, George Patrick, will be in contact with you regarding the details of such a visit.

I look forward to hearing from you soon.

Sincerely,

Louis O. Giuffrida
Director

cc:
Ami Ziv
Jacob Tadmor

August 31, 1983

Honorable Louis O. Giuffrida
Director, Federal Emergency Management Agency
500 C Street S.W.
Washington D.C. 20472
U.S.A.

Dear General Giuffrida,

I recall with pleasure our meeting of April 14, 1983, during which you told me that you are planning to visit Israel some time during October 1983.

I do understand that it will be a private visit and I hate to interfere with your plans. However, as I told you during my visit in U.S.A., we started recently a rather aggressive research program in the field of civil defense and I am sure that there are matters of mutual interest that could be discussed during your visit in Israel.

Therefore, personally and also other people of the Atomic Energy Commission would be very much interested to meet you, if possible, during your visit in Israel.

If it suits you, I would like to invite you to visit us and if it is convenient for you, we would like to hear from you an introductory lecture on the Civil Defense Program in U.S.A. and then discuss matters of mutual interest.

I do hope that you will be able to find some time to spend with us and I am looking forward to hearing from you.

Sincerely yours,

Jacob Tadmor
Professor

cc. Mr. Yshai Levanon, Head, Dept. of Applied Mathematics and Physics.

bcc:
International Affairs
FEMA CF(2)
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Exec. Asst.
NETC Asst. Dir.
NETC Reading
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PC&L Chron
FEMA/NETC/PA/PC&L/T.Berrey/lsc/5/3/83/FTS 652-6204

MAY 23 1983

Mr. Moshe Gat
Acting Chairman of the Supreme
National Emergency Economy Board
Ministry of Defense
Hakirya
Tel-Aviv 61909
Israel

Dear Mr. Gat:

I am in receipt of the materials which you forwarded to the Director of the Federal Emergency Management Agency, Louis O. Giuffrida, and a copy of your letter to him of April 12, 1983.

The following are some of the functions going on at the National Emergency Training Center (NETC) during August and September which could be of interest to you.

At the Emergency Management Institute (EMI) during the week of August 22, we will have a National Security Seminar for senior professional emergency program manggers and on the following week of August 29, there will be a Graduate Seminar on Contemporary Issues again for senior emergency managers. On September 12-16, there will be a dynamic Emergency Management course at EMI. At the National Fire Academy (NFA) there will be a broad range of courses in session that might be of interest to you, for example an Executive Development course.

At all times there are other courses in session with the exception of September 2-11, when both institutes close for the Labor Day holiday week. In addition the staff of our National Emergency Training Center will be available to discuss issues that may be of specific interest to you.

If we can assist in any way to facilitate your visit while at the National Emergency Training Center, please have your liaison person contact Mr. John Bex for final arrangements.

Sincerely,

(Signed) Fred J. Villella

Fred J. Villella
Associate Director
for Training and Fire Programs

Helen Parker
International Aff.

Federal Emergency Management Agency
National Emergency Training Center
Emmitsburg, Maryland 21727

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10 MAY 1983 14 47

Mr. Moshe Gat
Acting Chairman of the Supreme
  National Emergency Economy Board
Ministry of Defense
Hakirya
Tel-Aviv 61909
Israel

Dear Mr. Gat:

I am in receipt of the materials which you forwarded to the Director of the Federal Emergency Management Agency, Louis O. Giuffrida, and a copy of your letter to him of April 12, 1983.

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At all times there are other courses in session with the exception of September 2-11, when both institutes close for the Labor Day holiday week. In addition the staff of our National Emergency Training Center will be available to discuss issues that may be of specific interest to you.

If we can assist in any way to facilitate your visit while at the National Emergency Training Center, please have your liaison person contact Mr. John Bex for final arrangements.

Sincerely,

Fred J. Villella, Associate Director
for Training and Fire Programs

Office of the Director
Federal Emergency Management Agency
Washington D.C. 20472

April 12, 1983

Mr. Moshe Gat
Acting Chairman of the Supreme
National Emergency Economy Board
Ministry of Defence
Hakirya
Tel-Aviv 61909
Israel

Dear Mr. Gat:

Thank you for your letter of February 1, 1983, and for the information on Hega. I have forwarded this material to the Honorable Fred J. Villella, who is my Associate Director in charge of the National Emergency Training Center, for his continuing review.

I would be very happy to visit Israel and have started to examine my schedule for the period of October and November to see if such a visit can be accommodated.

As to your reviewing our National Emergency Training Center, we would welcome your visit. I request that you contact the American Embassy since all foreign visits are coordinated through our State Department.

My niece, Deborah, is married to Samuel Appel, M.D., and they live at:

Abarbanel 38/37
Beersheba 84759
Israel

and their telephone number is 5743797.

This is our annual budget time; and I am, therefore, deeply involved in meetings with senators and congressmen and must get back to my round of [illegible]gs. I look forward to hearing from you.

Sincerely,

Louis O. Giuffrida
Director

bcc: Inte[illegible]onal Affairs

Office of the Director
Federal Emergency Management Agency
Washington D.C. 20472

April 12, 1983

Mr. Moshe Gat
Acting Chairman of the Supreme
National Emergency Economy Board
Ministry of Defence
Hakirya
Tel-Aviv 61909
Israel

Dear Mr. Gat:

Thank you for your letter of February 1, 1983, and for the information on Haga. I have forwarded this material to the Honorable Fred J. Villella, who is my Associate Director in charge of the National Emergency Training Center, for his continuing review.

I would be very happy to visit Israel and have started to examine my schedule for the period of October and November to see if such a visit can be accommodated.

As to your reviewing our National Emergency Training Center, we would welcome your visit. I request that you contact the American Embassy since all foreign visits are coordinated through our State Department.

My niece, Deborah, is married to Samuel Appel, M.D., and they live at:

Abarbanel 38/37
Beersheba 84759
Israel

and their telephone number is 5743797.

This is our annual budget time; and I am, therefore, deeply involved in meetings with senators and congressmen and must get back to my round of meetings. I look forward to hearing from you.

Sincerely,

Louis O. Giuffrida
Director

bcc: International Affairs

Acting Chairman of the Supreme
National Emergency Economy Board

מ"מ קבוע ליושב־ראש ועדת המל"ח העליונה

Tel-Aviv, February 1, 1983

Mr. Louis O. Giuffrida
Director
Federal Emergency Management Agency
500 C Street, S.W.
Washington, D.C. 20472
USA

Dear Mr. Giuffrida,

I would like to convey to you my warm thanks for the opportunity given to me during our meeting in Washington, to get to know your organization and for the written material I have received in your office about your emergency preparations.

Having read the training and advance study programs for 1983 that you are carrying out at your training base in Emmitsburg, Maryland, I notice that many subjects, mainly those in the fields of economic preparation and vital services in emergency, are common to both our organizations.

As I have explained to you during our meeting, there is in Israel a separation between the Emergency Economy Board and the Civil Defence which is part of the Israel Defence Forces.

In the National Emergency Board are organized the Governmental Agencies, the economic institutions, the production branches and the services, includi the hospitalization system and the evacuation of homeless population followi an emergency situation. The Civil Defence is responsible for the topics connected with direct self-protection of the State against air attacks, gases and protection of settlements - mainly rural and border ones. Civil defence is responsible for the planning and building of shelters and civil defence policy.

Training in the National Emergency Economy Board is mainly based on supplementary preparation and study in various subjects relating to emergency planning and operation as well as exercises in local authority areas.

Civil defence has training bases in which intensive training is carried out in the subjects mentioned in the attached list. I am also enclosing brochures on self-protection, which are distributed to the population.

As I have told you during our meeting, we shall be very pleased to welcom you in Israel and to show you the matters we are dealing with. Should this visit be possible, it would be better if it could take place in April-May or in October-November when the weather is fair. I, on my part, would very much like to visit your Maryland base, not for any specific course, but so as to get impressions about the training material, the methods used for imparting it and the means at your disposal. The period convenient for me would be August-September 1983.

Acting Chairman of the Supreme
National Emergency Economy Board

מ"מ קבוע ליושב־ראש ועדת המל"ת העליונה

-2-

I am sorry that your colleague, C. Baring Farmen, M.D. of San Luis Obispo, did not contact me during his stay in Israel. I may, if you so wish, visit your niece here and convey to her your regards. If so, please give me her address. Our country is not big and it will be possible for me to see her during one of my tours in the country.

With best personal wishes,

Yours sincerely,

M. Gat.

Moshe Gat

Ministry of Defence
Hakirya
Tel-Aviv 61909
Israel

COURSES AND SUPPLEMENTARY TRAINING

CIVIL DEFENCE CORPS - HAGA

1. COMMANDERS AND SENIOR STAFF OFFICERS	34	DAYS
2. HAGA BASIC OFFICERS COURS	42	"
3. MEDICAL OFFICERS	27	"
4. VARIOUS SPECIALIST OFFICERS	42	"
5. SECTION LEADERS COURSES	32	"
6. SIGNALS N.C.O.'S.	13	"
7. LOGISTICS N.C.O.'S.	13	"
8. MEDICAL ORDERLIES	34	"
9. SENIOR MEDICAL ORDERLIES	27	"
10. CRANE OPERATORS	6	"
11. MECHANICAL ENGINEERING EQUIPMENT OPERATORS	20	"
12. TECHNICAL N.C.O.'S.	17	"
13. SHORT COURSES FOR OPERATORS AND SPECIALISTS:		
SIGNALS		
OBSERVATIONS		
AMBULANCE DRIVERS		
FIRE BRIGADE DRIVERS		
BASIC FIRST AID E.T.C.	3-5	"
14. SHORT COURSES FOR OFFICERS	3	"
15. PRACTICAL TRAINING IN HOSPITALS (FOR SENIOR ORDERLIES)	10	"

Acting Chairman of the Supreme
National Emergency Economy Board

ם קבוע ליושב־ראש ועדת המל"ח העליונה

Tel-Aviv, February 1, 198

Mr. Louis O. Giuffrida
Director
Federal Emergency Management Agency
500 C Street, S.W.
Washington, D.C. 20472
USA

Dear Mr. Giuffrida,

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In the National Emergency Board are organized the Governmental Agencie the economic institutions, the production branches and the services, incluc the hospitalization system and the evacuation of homeless population follow an emergency situation. The Civil Defence is responsible for the topics connected with direct self-protection of the State against air attacks, ga: and protection of settlements - mainly rural and border ones. Civil defence is responsible for the planning and building of shelters and civil defence policy.

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. Acting Chairman of the Supreme
.National Emergency Economy Board

ים קבוע ליושבראש ועדת [illegible] העליונה

I am sorry that your colleague, C. Baring Farmen, M.D. of San Luis Obispo, did not contact me during his stay in Israel. I may, if you so wish, visit your niece here and convey to her your regards. If so, please give me her address. Our country is not big and it will be possible for me to see her during one of my tours in the country.

With best personal wishes,

Yours sincerely,

M. Gat.

Moshe Gat

Ministry of Defence
Hakirya
Tel-Aviv 61909
Israel

EXHIBIT 5

NOV 3 1983

MEMORANDUM FOR: J. C. Kellett, Jr., Superintendent
Emergency Management Institute

FROM: Warren P. Rucker, Project Officer
Emergency Management Institute

SUBJECT: Vouchers for Payment of Triton Contract (FEMA/2 #1 and FEMA 13)

Attached are copies of the subject vouchers which were submitted to me today for my certification. As my signature indicates, I certified both vouchers correct and proper for payment.

Though hesitant, I felt my certification to be in the best interest of the Center and its programs.

Points:

(+) o Our track record with Triton Corporation for "dollars-well-spent" is a good one.

(+) o The arithmetic and hours appear sound.

(+) o Work under the Task Orders with which I'm closely involved appears on-target and acceptable.

(-) o The Task Orders, actual work performed, and invoices are difficult to track.

(-) o Much of the work appears more service-oriented than end-product-oriented. (I need to account for hours more than evaluate deliverables.)

(-) o My other duties severely limit the time I'm able to spend monitoring the contract.

Standard Form 1034
September 1973
4 Treasury FRM 2000
1034-115

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

VOUCHER NO. FEMA/2 #1

U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION
Federal Emergency Management Agency
Office of the Comptroller
Accounting Division
Washington D.C. 20472

DATE VOUCHER PREPARED October 31, 1933

CONTRACT NUMBER AND DATE EMW-83-C-1227

REQUISITION NUMBER AND DATE

SCHEDULE NO. #297

PAID BY

PAYEE'S NAME AND ADDRESS
TRITON Corporation
1825 Connecticut Avenue
Suite 408
Washington D.C. 20009

DATE INVOICE RECEIVED

DISCOUNT TERMS

PAYEE'S ACCOUNT NUMBER

SHIPPED FROM　TO　WEIGHT

GOVERNMENT B/L NUMBER

NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)	QUANTITY	UNIT PRICE COST	UNIT PRICE PER	AMOUNT
	10/1/83 to 10/31/83	For services rendered under the above referenced contract. The Undersigned hereby certifies that payment of the sum claimed under the above cited contract is for appropriate purposes and is in accordance with the agreements of the contract. Richard D. Salvatierra Richard D. Salvatierra, President.				$ 66,242.3

(Use continuation sheet(s) if necessary)　(Payee must NOT use the space below)　TOTAL $ 66,242.3

PAYMENT:
☐ COMPLETE
☐ PARTIAL
☐ FINAL
☐ PROGRESS
☐ ADVANCE

APPROVED FOR =$

EXCHANGE RATE =$1.00

DIFFERENCES

BY [1]

TITLE

Amount verified; correct for

(Signature or initials)

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.

(Date)　(Authorized Certifying Officer) [2]　(Title)

ACCOUNTING CLASSIFICATION

I certify that the services described have been provided and payment is recommended.

Warren P. Rucker　11-5-83
Warren P. Rucker, Project Officer　(Date)

PAID BY

CHECK NUMBER　ON TREASURER OF THE UNITED STATES

CHECK NUMBER　ON (Name of bank)

CASH $　DATE

PAYEE [3]

PER

TITLE

[1] When stated in foreign currency, insert name of currency.

[2] If the ability to certify and authority to approve are combined in one person, one signature only is necessary, otherwise the approving officer will sign in the space provided, over his official title.

[3] When a voucher is receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company per John Smith, Secretary", or "Treasurer", as the case may be.

U.S. GOVERNMENT PRINTING OFFICE 1978 - 281-187

Standard Form 1034
September 1973
4 Treasury FRM 2000
1034-115

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

VOUCHER NO.
FEMA 13

U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION
Federal Emergency Management Agency
Aquisition Management Division
Room 723
Washington D.C. 20472

DATE VOUCHER PREPARED
October 31, 1983

CONTRACT NUMBER AND DATE
EMW-C-0[illegible]

REQUISITION NUMBER AND DATE

SCHEDULE NO.
4795

PAID BY

PAYEE'S NAME AND ADDRESS
TRITON Corporation
ASSIGNEE:
United Virginia Bank
515 King Street
Alexandria VA 22313 Acct # 021 30 098

DATE INVOICE RECEIVED

DISCOUNT TERMS

PAYEE'S ACCOUNT NUM

SHIPPED FROM TO WEIGHT

GOVERNMENT B/L NUM

NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)	QUANTITY	UNIT PRICE		AMOUN
				COST	PER	
	10/1/83 to 10/31/83	For services rendered under the above referenced contract. The Undersigned hereby certifies that payment of the sum claimed under the above cited contract is for appropriate purposes and is in accordance with the agreements of the contract. Richard D. Salvatierra Richard D. Salvatierra, President				$ 40,01

(Use continuation sheet(s) if necessary) (Payee must NOT use the space below) TOTAL $ 40,01

PAYMENT:
☐ COMPLETE
☐ PARTIAL
☐ FINAL
☐ PROGRESS
☐ ADVANCE

APPROVED FOR =$

EXCHANGE RATE =$1.00

BY ²

TITLE

DIFFERENCES

Amount verified; correct for

(Signature or initials)

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.

(Date) (Authorized Certifying Officer) ² (Title)

ACCOUNTING CLASSIFICATION

I certify that the services described ha
been provided and payment is recommended

Warren P. Rucker 11-3-
Warren P. Rucker, Project Officer (Date

PAID BY
CHECK NUMBER ON TREASURER OF THE UNITED STATES
CHECK NUMBER ON (Name of bank)
CASH $
DATE
PAYEE ³

PER

TITLE

¹ When stated in foreign currency, insert name of currency.
² If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the space provided, over his official title.
³ When a voucher is receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or, "Treasurer", as the case may be.

DEC 13 1983

MEMORANDUM FOR: Frank Sidella, Assistant Associate Director
for Programs and Academics

FROM: J. C. Kellett, Jr., Superintendent
Emergency Management Institute

SUBJECT: Voucher Dated November 30, 1983 (EMW-83C-1227)

Attached for your review is the subject voucher. Please authenticate by initialling those items (consultant fees and expenses) charged against the P&A Task Orders (S-12).

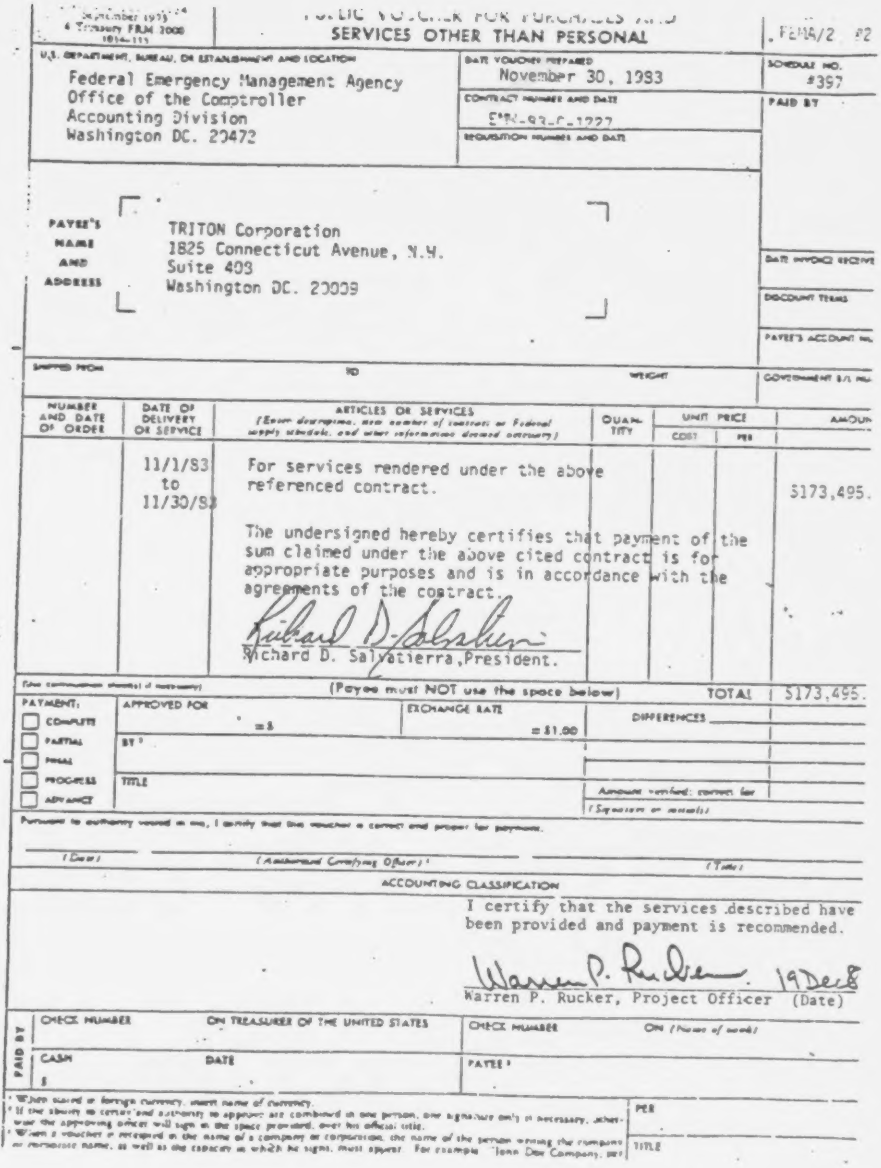
Your prompt attention will enable Warren Rucker to process the voucher for timely payment.

Attachment

bcc:
NETC Reading
EMI CF
EMI RF
EMI Rucker

EMI/Rucker/12-13-83/x7164/eez

RUCKER KELLETT



September 1973
4 Treasury FRM 2000
1034-111

PUBLIC VOUCHER FOR PURCHASES AND
SERVICES OTHER THAN PERSONAL

FEMA/2 #2

U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION
Federal Emergency Management Agency
Office of the Comptroller
Accounting Division
Washington DC. 20472

DATE VOUCHER PREPARED: November 30, 1983

CONTRACT NUMBER AND DATE: EMW-83-C-1227

REQUISITION NUMBER AND DATE:

SCHEDULE NO. #397

PAID BY

PAYEE'S NAME AND ADDRESS
TRITON Corporation
1825 Connecticut Avenue, N.W.
Suite 403
Washington DC. 20009

DATE INVOICE RECEIVED

DISCOUNT TERMS

PAYEE'S ACCOUNT NO.

SHIPPED FROM | TO | WEIGHT | GOVERNMENT B/L NO.

NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)	QUANTITY	UNIT PRICE COST	UNIT PRICE PER	AMOUNT
	11/1/83 to 11/30/83	For services rendered under the above referenced contract. The undersigned hereby certifies that payment of the sum claimed under the above cited contract is for appropriate purposes and is in accordance with the agreements of the contract. Richard D. Salvatierra Richard D. Salvatierra, President.				$173,495.

(Use continuation sheet(s) if necessary) (Payee must NOT use the space below) TOTAL $173,495.

PAYMENT:
☐ COMPLETE
☐ PARTIAL
☐ FINAL
☐ PROGRESS
☐ ADVANCE

APPROVED FOR =$

EXCHANGE RATE =$1.00

DIFFERENCES

BY²

TITLE

Amount verified; correct for

(Signature or initials)

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.

(Date) (Authorized Certifying Officer)² (Title)

ACCOUNTING CLASSIFICATION

I certify that the services described have been provided and payment is recommended.

Warren P. Rucker 19 Dec 8

Warren P. Rucker, Project Officer (Date)

PAID BY
CHECK NUMBER | ON TREASURER OF THE UNITED STATES | CHECK NUMBER | ON (Name of bank)
CASH $ | DATE | PAYEE³

¹ When stated in foreign currency, insert name of currency.
² If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the space provided, over his official title.
³ When a voucher is receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per

PER

TITLE

Federal Emergency Management Agency

National Emergency Training Center
Emmitsburg, Maryland 21727

DEC 15 1983

MEMORANDUM FOR: Frank C. Sidella
Assistant Associate Director
for Programs and Academics

FROM: Paul G. Watson
Research and Evaluation Officer
Office of Programs and Academics

SUBJECT: Triton Voucher Dated November 30, 1983 (EMW-83C-1227)

The following comments are offered regarding the subject voucher:

1. Consultant fees and the task orders to which they are charged appear to be appropriate with two notable exceptions. A total of $2,850.00 has been charged against task orders 10 and 11 for Anita Koppel. I have no knowledge that she has done any work on either task. A sum of $2,400.00 has been charged against task order 5 for George Washnis and again I have no knowledge that he has done any work on that task.

2. Reimbursement claims appear to be in order except for charges of $1,194.15 against task orders 5 and 10 for John Collins; charges of $30.00 against taks order 5 for FEMA; and charges of $1,185.90 against task orders 5, 10, and 11 for Anita Koppel. Again, I have no knowledge that these individuals have done any work under these task orders that would justify a reimbursement for claims.

3. It is my understanding that labor of employees of Triton in the Home Office and the Field Office have been charged against P&A task orders 5-12, but the subject voucher offers no explanation of how much labor from any given employee has been so charged.

Pro-rat
Sharing

4. Generally, in my opinion, the subject voucher format is inadequate. It is impossible to determine how much direct labor, other direct costs, reimbursement claims, and consultant fees, etc. have been charged against any given task order and how much money is left in each task order.

No -
voucher
[illegible]
w/ Contr
specs.

Federal Emergency Management Agency

National Emergency Training Center
Emmitsburg, Maryland 21727

DEC 16 1983

MEMORANDUM FOR: Frank C. Sidella
Assistant Associate Director
for Programs and Academics

FROM: Robert T. Petersen
Curriculum/Policy Planning and Analysis Officer
Office of Programs and Academics

SUBJECT: Triton Voucher Dated November 30, 1983 (EMW-83C-1227)

The following comments are in response to your request to review the subject voucher relative to the EMI memorandum of December 13, 1983, same subject:

1. The consultant fees and reimbursement claims (transportation) for W. J. Burns under Task Order #9 (Hazardous Materials) appear reasonable and appropriate. Mr. Burns has provided excellent assistance in the hazardous materials project. I have no knowledge of services provided by other consultants for this Task Order (#9), or for any other Task Orders with which I am associated. I assume that some of Mr. Meachum's services would be applicable to Task Order #5; however, I do not know to what extent. I do not know who Mr. Washins is, nor why he is charged to TO #5. Ms. Koppel appears under TO #11 (Law Enforcement); she has not, to my knowledge, performed any services for P&A.

2. Many of the invoices, expense statements, and letters attached to the voucher to substantiate claims are illegible, incomplete, or unsigned. Therefore, I cannot determine from these items, other than Mr. Burns' invoice, whether or not any of them pertain to Task Order #9, or other Task Orders for which I might be responsible.

3. In my judgement, the only "Home Office" or "Field Office" personnel costs (non-consultant) which should be chargeable against Task Order #9 would be for Mr. Ferri and Mr. Smith and their secretarial staff, to the extent that they have devoted time in the development, negotiation, and implementation of the P&A related Task Orders.

   Unfortunately, the voucher does not indicate which salaries of the non-consultant personnel are charged against specific P&A related Task Orders. The Reimbursement Claim does summarize transportation and per diem expenses charged against specific Task Orders; in this regard, the expenses of Mr. Collins and Ms. Koppel are charged against various P&A Task Orders; these may be questionable unless they were providing P&A directed tasks and/or services. There is one amount labeled "FEMA" for a $30 meal or per diem claim for which there is no explanation or justification.

4. In general, I was uncomfortable with the voucher since it was difficult to track expenditures and does not show unobligated dollars remaining for each Task Order. I would prefer, if possible, a summary for each Task Order clearly indicating who performed services for each specific task, how much was utilized for these services, and funds remaining in each Task Order. As confirmed, the voucher is extremely limited for use as an accounting tool.

Attachments

Federal Emergency Manage .gency

National Emergency Training
Emmitsburg, Maryland 21

D 83

MEMORANDUM FOR: James C. Kellett, Jr.
Superintendent
Emergency Management Institute

FROM: Frank C. Sidella
Frank C. Sidella
Assistant Associate Director
for Programs and Academics

SUBJECT: Triton Voucher Dated November 30, 1983 -1227)

I received your memorandum dated December 13, 1983, req view and authentication of the subject voucher.

Your memorandum requested our authenticating consultant expenses charged against P&A Task Orders (#5-12). I assume all consulta es are shown on the Reimbursement Claim Form, and all consultant fees n on the respective invoice, expense statement, or letter. Unfor . many of the latter items are not legible and/or lack sufficient data ysis; accordingly, fees indicated on some items cannot be aut d.

I have asked my Division Directors to review the voucher vide comments and/or concurrence for expenditures related to their tas . Their comments are attached.

We have major concerns about the following:

- The voucher does not itemize expenses by project rder;
- The voucher does not show a total expenditure for cific task order during the voucher period; i.e., there is n n of non-consultant salaries charged to each task order;
- The voucher does not completely indicate the total that may have been expended and the total un-expended amou ing for each task order;
- Expenses are indicated on the Reimbursement Claim parently under Task Orders #5-12, for persons who have not services to P&A for the indicated Task Orders.

Before we can completely authenticate P&A related expen we would like to receive a breakdown of expenses by Task Order provid fication for the above items, including who is proposed for reimburs r our Task Order(s) and for what purpose/service the reimbursement sed.

Your assistance and concern is appreciated.

Attachments

Federal Emergency Management Agency
National Emergency Training Center
Emmitsburg, Maryland 21727

December 19, 1983

MEMORANDUM FOR: James C. Kellett, Superintendent, EMI

Frank Payne

FROM: Frank Payne, Deputy Associate Director, TFPD

SUBJECT: TRITON Voucher Dated November 30, 1983, (EMW-83C-1227)

Consultant fees, charges, and task orders for Anita Koppel; George Washnis; and John Collins appear to be appropriate and in accordance with contract agreement. Services were provided NETC for the indicated task orders.

Federal Emergency Management Agency

National Emergency Training Center
Emmitsburg, Maryland 21727

DEC 19 1983

MEMORANDUM FOR: Bruce Marshall, Acting Superintendent
Emergency Management Institute

Warren Rucker

FROM: Warren P. Rucker, Chief
Executive Programs Division, EMI

SUBJECT: Voucher Dated November 30, 1983 (EMW-83C-1227)

The EMI Superintendent's December 13 memo to Mr. Sidella, same subject, requested authentication of charges against the P&A task orders (5-12).

Mr. Sidella's response dated December 16 expressed concern with the voucher format and with certain items charged for payment. I, too, feel that current procedures make it difficult to verify the accuracy of charges in some cases.

In view of Mr. Payne's memorandum to the Superintendent, EMI, same subject, dated December 19, I have certified the November 30 voucher for payment.

It is my understanding that Dr. Oelrich will now be made the Project Officer for the EMI Triton contract. It is my strong recommendation that he be required to certify only those task orders specifically related to EMI programs.

EXHIBIT 6

Audit of IMR

I. BACKGROUND INFORMATION IMR SYSTEMS, INC.

- IMR was incorporated in the State of Virginia in 1978.
- IMR has at least 10 contracts with FEMA Headquarters and NETC -- All contracts are administered by IMR's Energy, Management and Marketing Division.
- Federal funding under contracts total $4.5 million in obligations and $3.8 million in actual payments to IMR.
- All contracts were awarded under the SBA's 8(a) Program
- A substantial amount of funds were expended under contracts which provided for Curriculum Development, Editorial Support, and Evaluation Assistance at NETC.

II. IMR SYSTEM INC., IS A HIGH RISK CONTRACTOR

- IMR has a poor cash flow position.
- IMR owes the IRS $1 million in back payroll taxes.
- IMR has an inadequate accounting system for assigning contract costs.
- IMR has never been audited.

III. AUDIT ISSUES

- Poor Contract Administration
  - IMR performed and was paid for work prior to written contracts or task orders.
  - When contracts and task orders were issued work statements were vague and overly broad.
  - It appears that IMR prepared work statements which were then issued by NETC.

- -- Work statements under contracts and task orders appear repetitive. Moreover, IMR appears to be continuously revising and editing their own work.
- -- Work statements were issued which were outside the scope of the basic contracts i.e., review of NETC contract files, development of Management Information System for SLPS.
- -- Appearance of cost-plus-a-percentage-of-cost contracts.
- -- Conversion of seven task orders from cost reimbursable to firm fixed price.

  This occurred after NETC had agreed to substantial increases in funding to perform various tasks. There were no increases in the scope of work and in some instances, the scope of work was reduced.

o Improprieties in Contract Billing

- -- IMR claimed certain cost two, three and four times ($55,000 overclaim). IMR's billings under contracts were not reconciled to IMR's accounting system; this resulted in billings in excess of actual expenses.
- -- Evidence suggest that there are serious improprieties with charges IMR made for overhead -- William Elsey paid himself bonuses; expenses were incurred for equipment rental from Elsey's outside business (Energy, Management, Marketing and Analysis, Inc.)

  The Defense Contract Audit Agency (cognizant Federal audit agency) has been unsuccessful in establishing and/or negotiating an acceptable overhead rate. This is reportedly due to IMR's poor accounting system.

IV. INVESTIGATIVE ISSUES

o Evidence indicates that IMR System, Inc. is not a bonafide 8(a) small business concern. The minority owner of IMR is not involved in and does not control the activities of the IMR Division (Energency, Management, and Marketing Division) that administers FEMA contracts.

This matter has been referred to SBA for investigation.

- Evidence indicates that IMR in collusion with Fred Villella, submitted fraudulent claims ($6,225) for salary payments to Ms. Michele Jackson (maiden name Smith).

  IMR timesheets show that Ms. Jackson provided services under the FEMA contracts. However, Ms. Jackson informed us that she provided personal services for Fred Villella i.e., addressing Christmas cards, making arrangements for Mr. Villella's daughter's wedding, etc.

- IMR altered timesheets of employees who reportedly worked under FEMA contracts.

- John Collins performed work under IMR contract -- See Triton.

EXHIBIT 7

Federal Emergency Management Agency
Washington, D.C. 20472

MAY 31 [illegible]

MEMORANDUM FOR: Donna Darlington
Contracting Officer
Office of Acquisition Management

FROM: Thomas Ainora
Attorney
Office of General Counsel

SUBJECT: Grant No. EMW-84-G-1682

I have reviewed this grant and have the following responses to your memo of May 24, 1984:

(1) Mr. Giuffrida is on the Policy Committee on National Security Affairs of the International Management and Development Institute (IMDI) Fowler-McCracken Commission. I have been informed that this position is an uncompensated one and the IMDI/Fowler-McCracken Commission is a non-profit organization set up to achieve certain economic and national security goals. FEMA proposes to give a grant to IMDI, and you have raised the possibility of a conflict of interest. The IMDI/Fowler-McCracken Commission is a 501(c)(3) non-profit corporation whose members are made up of the corporate, business, government, diplomatic, academic and journalistic communities. The Commission is funded 50% by the business community and 50% by the public sector. Administration participation includes cabinet officers and agency directors. The Director of FEMA is on the Board by virtue of his official position. He has no personal or economic interest in IMDI and the grant as proposed by the Commission would logically go to this organization. Mr. Giuffrida does not vote on policy determinations of the organization. While there may be the appearance of a conflict at first blush, I do not believe that there is an actual conflict unless Mr. Giuffrida used his position to give preferential treatment to this group. I have no evidence of this and there is a sole source justification in the file which is logical and well reasoned.

(2) OMB Circular A-122 applies to costs for all grants awarded to non-profit organizations. Under any given grant the reasonableness and allocability of certain items of costs may be difficult to determine. This is particularly true in connection with organizations that receive a preponderance of their support from Federal agencies. In order to avoid subsequent disallowance or dispute based on unreasonableness or nonallocability, it is often desirable to seek a written agreement between the awarding agency and the grantee in advance of the incurrence

of special or unusual costs. The absence of an advance agreement on any element of cost will not in itself, affect the reasonableness or allocability of that element. If no agreement is negotiated in the grant prior to award, the grant should read that the grantee's submission of costs is neither approved or disapproved and that costs will be allowed by FEMA based on OMB Circular A-122. Any costs disallowed by FEMA auditors will have to be reimbursed by IMDI.

(3) As presently written, any survey conducted by IMDI is subject to all paperwork reduction requirements if the data collection is part of the terms of the grant. (44 U.S.C. § 3509, OMB Circular A-40, Information Collection Budget Requirements, Executive Order 12174, OMB Bulletin No. 80-11, FEMA Instruction 5300.1 "Reports Management Program.") Linda Shiley must be consulted and IMDI must agree to this process as the grantee.

(4) I don't have a problem with the use of a grant in this case as FEMA is giving IMDI monies to carry out a public purpose of support or stimulation authorized by law. FEMA is not primarily acquiring property or services for its direct benefit or use (31 U.S.C. § 6304).

Federal Emergency Management Agency
Washington, D.C. 20472

DEC [illegible] 1983

1-3-84
A → EK
BH
JB

Mr. Gene E. Bradley
Chairman
International Management and
Development Institute
2600 Virginia Avenue, NW
Washington, DC 20037

Dear Mr. Bradley:

With reference to earlier discussions and invitation/proposal, I am pleased to advise that we have reviewed the work and objectives of the International Management and Development Institute and the Fowler-McCracken Commission and have considered carefully your request that the Federal Emergency Management Agency (FEMA) become a Government sponsor for the current fiscal year. In light of the President's endorsement of the objectives and work of the Commission, we intend to provide support for its work during FY 84 in an amount not to exceed $100,000.

In order to ensure that funds appropriated to FEMA are used to further its assigned mission and goals as we have discussed them, I suggest that a member of your staff continue to work with representatives of the National Preparedness Programs Directorate to identify the appropriate linkage between the Commission and FEMA. These details should be completed as soon as possible in January so that work during the current fiscal year will proceed on schedule.

We look forward to working with you on this joint partnership.

Sincerely,

Giuffrida

Louis O. Giuffrida
Director

REQUEST FOR ADVANCE OR REIMBURSEMENT

(*See instructions on back*)

Approved by Office of Management and Budget, No. 80-R0183

PAGE 1 OF 1 PAGES

1. TYPE OF PAYMENT REQUESTED
   a. "X" one, or both boxes: ☐ ADVANCE ☒ REIMBURSEMENT
   b. "X" the applicable box: ☐ FINAL ☒ PARTIAL

2. BASIS OF REQUEST: ☒ CASH ☐ ACCRUAL

3. FEDERAL SPONSORING AGENCY AND ORGANIZATIONAL ELEMENT TO WHICH THIS REPORT IS SUBMITTED
Federal Emergency Management Agency
FEMA/MP Mobilization Preparedness

4. FEDERAL GRANT OR OTHER IDENTIFYING NUMBER ASSIGNED BY FEDERAL AGENCY: EMW-84-G-1682

5. PARTIAL PAYMENT REQUEST NUMBER FOR THIS REQUEST: 1

6. EMPLOYER IDENTIFICATION NUMBER: 23-7110045

7. RECIPIENT'S ACCOUNT NUMBER OR IDENTIFYING NUMBER:

8. PERIOD COVERED BY THIS REQUEST
FROM (month, day, year): March 1, 1984
TO (month, day, year): June 30, 1984

9. RECIPIENT ORGANIZATION
Name: International Management and
Development Institute
Number and Street: Watergate Office Bldg. Suite 905
2600 Virginia Avenue, N.W.
City, State and ZIP Code: Washington, D.C. 20037
Attn: Robert B. Hamilton

10. PAYEE (Where check is to be sent if different than item 9)
Name: International Management and
Development Institute
Number and Street: Watergate Office Bldg. Suite 905
2600 Virginia Avenue, N.W.
City, State and ZIP Code: Washington, D.C. 20037
Attn: Robert B. Hamilton

11. COMPUTATION OF AMOUNT OF REIMBURSEMENTS/ADVANCES REQUESTED

PROGRAMS/FUNCTIONS/ACTIVITIES ►		(a)	(b)	(c)	TOTAL
a. Total program outlays to date (*As of date*) June 30, 1984		$41,286.45	$	$	$41,286.45
b. *Less*: Cumulative program income		-0-			-0-
c. Net program outlays (*Line a minus line b*)		41,286.45			41,286.45
d. Estimated net cash outlays for advance period		NA			NA
e. Total (*Sum of lines c & d*)		41,286.45			41,286.45
f. Non-Federal share of amount on line e		-0-			-0-
g. Federal share of amount on line e		41,286.45			41,286.45
h. Federal payments previously requested		-0-			-0-
i. Federal share now requested (*Line g minus line h*)		41,286.45			41,286.45
j. Advances required by month, when requested by Federal grantor agency for use in making prescheduled advances	1st month				
	2nd month				
	3rd month				

12. ALTERNATE COMPUTATION FOR ADVANCES ONLY

a. Estimated Federal cash outlays that will be made during period covered by the advance	$
b. *Less*: Estimated balance of Federal cash on hand as of beginning of advance period	
c. Amount requested (*Line a minus line b*)	$

13. CERTIFICATION

I certify that to the best of my knowledge and belief the data above are correct and that all outlays were made in accordance with the grant conditions or other agreement and that payment is due and has not been previously requested.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL: Robert B Hamilton

DATE REQUEST SUBMITTED: 7/10/84

TYPED OR PRINTED NAME AND TITLE:
Robert B. Hamilton
Executive Director of Finance

TELEPHONE (AREA CODE, NUMBER, EXTENSION): 202 337-4647

FOWLER MCCRACKEN COMMISSION
FED EMERGENCY MGMT AGENCY

DEPARTMENT 7016
JUNE 30, 1984

	----CURRENT---- 06/01/84 - 06/30/84	---%--	---CUMULATIVE-- 3/1/84 - 06/30/84	---%--
INCOME				
FOWLER - MCCRACKEN COMMISSION				
FED EMERGENCY MGMT AGENCY				
TOTAL FOWLER - MCCRACKEN				
EXPENSES				
SALARIES	1,854.93		24,529.06	
BENEFITS AND PAYROLL TAXES	408.08		2,967.59	
SUBTOTAL PERSONNEL	2,263.01		27,496.65	
PROFESSIONAL/CONTRACTUAL SERVICES	115.00		916.40	
SUPPLIES	110.20		348.83	
TELECOMMUNICATIONS	182.02		966.16	
POSTAGE AND SHIPPING			160.36	
OCCUPANCY	139.00		2,076.72	
RENTAL & MAINTENANCE OF EQUIPMENT	445.65		1,571.37	
PRINTING AND PUBLICATIONS	497.52		734.97	
TRAVEL AND LIVING	11.00		63.92	
CONFERENCES & MEETINGS			70.00	
SUBTOTAL	1,500.39		6,908.73	
TOTAL EXPENSES	3,763.40		34,405.38	
Overhead 20%	752.68		6,881.07	
total	4,516.08		41,286.45	

INSTRUCTIONS FOR PAYMENT TRANSMITTAL

To be used for salary, retirement annuity,
dividend, or other recurring payments.

TO: F.E.M.A. and its agent
(Name of Corporation)

Please send all checks or electronic funds transfers payable to the order of:

Payee's Name: INTL. MGMT. & DEV. INST.

Payee's Riggs Account Number 17-08141430

by mail to:	OR	by electronic funds transfer to:
The Riggs National Bank P. O. Box 1113 Washington, D. C. 20013		The Riggs National Bank Washington, D. C. ABA #: 054000030

IT IS IMPERATIVE THAT THE ACCOUNT NUMBER INDICATED ABOVE BE INCLUDED ON THE FACE OF ALL CHECKS, OR IN THE INSTRUCTIONS FOR ALL ELECTRONIC FUNDS TRANSFERS TO ENSURE PROPER CREDIT OF ALL PAYMENTS TO MY ACCOUNT.

All other communications are to be mailed to the undersigned at the address here indicated:

Suite 905, 2600 Virginia AVE.
Street Address

Wash DC NW 20037
City State Zip Code

Signature (s)

Robert R. Hamilton.

FED ID ~~Social Security No.~~ 23-7110045

(Signatures must appear as they are on the records of the above named corporation.)

International Management and Development Institute

Watergate Office Building—Suite 905 • 2[illegible] Virginia Avenue, N.W.
Washington, D.C. 20037 • Tel. (202) 337-1[illegible]2 • Telex: IMDI 248698

Directors

Hon. Gerald R. Ford
Hon. Chairman, IMDI
Hon. Dean Rusk
Hon. Chairman, IMDI
Gene E. Bradley
Chairman & President, IMDI
Hon. Theodore C. Achilles
Vice Chairman, The Atlantic Council
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Sénateur de l'Union Européenne
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Dean, Grad. Sch. of Bus., Columbia Univ.
John G. Clean
Pres., Robert Clean & Co. Ltd.
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Sec. Gen., Intl. CofC, Paris
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President, The American Assembly
Walter Sterling Surrey
Senior Partner, Surrey & Morse
Washington SyCip
Manila, Philippines
Hon. Alexander B. Trowbridge
Pres., Natl. Assoc. of Mfrs.
ADM Stansfield Turner, USN (Ret.)
Hon. John W. Tuthill
President, Salzburg Seminar
Hon. Richard D. Vine
Dir.-Gen., Atlantic Institute, Paris

January 3, 1984

The Honorable
Louis O. Giuffrida
Director
Federal Emergency Management Agency
500 C Street, S.W.
Washington, DC 20472

Dear Jeff:

Thank you for your letter of December 28. I am delighted that FEMA will become the newest Government Sponsor of the Fowler-McCracken Commission.

My associates, Joan Burrows Barnett, Elizabeth Kirchenbauer, and Robert Hamilton, will continue to work out the details with your staff so that we can proceed with our program elements as discussed.

We do indeed look forward to working with you and your associates to ensure that FEMA's sponsorship to the Commission directly furthers its mandate to coordinate the emergency management of the Federal Government.

With best wishes.

Cordially,

Gene

Gene E. Bradley
Chairman

Sole Source Justification for International Management and Development Institute and Fowler-McCracken Commission

The IMDI Fowler-McCracken Commission is a major national and international effort conducted in partnership with the White House and other departments and agencies of the executive branch, five committees of the Congress, and leading business, economic and educational institutions in the United States and Western Europe.

IMDI is unique because of the nature and diversity of its Board/Council Members. It is a venture representing the leadership of the corporate, government, diplomatic, academic and journalistic communities. Partners include business associations and chambers of commerce, individual corporations, governments, and institutions in the U.S. and other countries.

This unique combination has received the personal endorsement of the President. It is cochaired by former Treasury Secretary Henry H. Fowler, a leading Democrat, and former Chairman of the President's Council of Economic Advisors, Dr. Paul W. McCracken, a leading Republican. The work of the Commission is cofunded 50 percent by the business community and 50 percent by the public sector. Administration participation includes as Commission members, cabinet officers, and agency directors including the Secretaries of State, Treasury, Defense, Agriculture, Commerce, Labor, Transportation, and Energy. This Commission has as members unique business/government participants whose expertise represents key elements in development of national security policy at the Federal level. No other group can provide this kind of combined knowledge and experience...

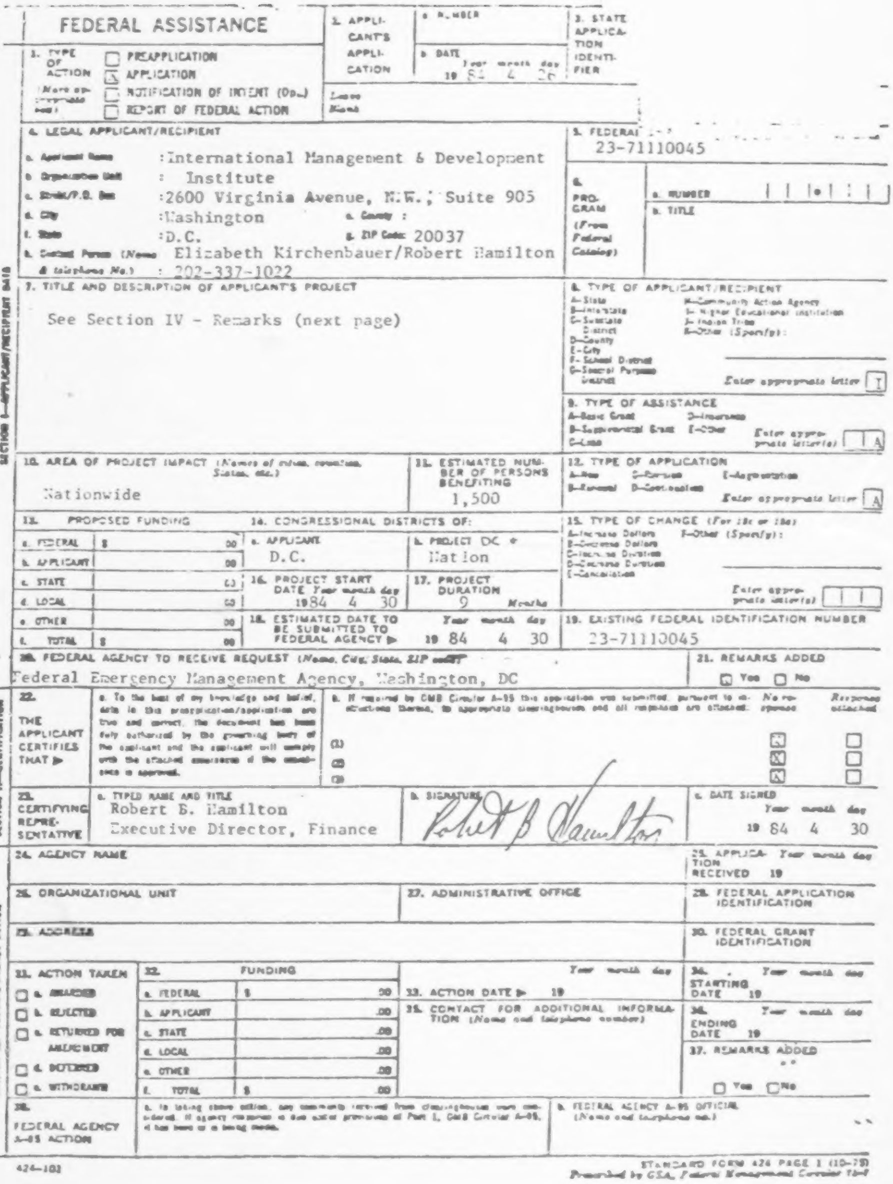
The continuing purpose of the Fowler-McCracken Commission is to promote a partnership between the private business community and government policy leaders such as that essential for FEMA's emergency preparedness planning. The Commission has emphasized in the past critical issues including use of trade as a foreign policy tool, removal of export disincentives, national treatment of U.S. investments abroad, stronger retailiatory measures against unfair trade and regulatory reform, adequacy of the industrial base for national security, and energy security as a key element in national security among others.

IMDI's "family group" includes a broad network of regional leaders across the U.S.--a valuable resource for disseminating information, receiving nationwide input from the corporate community and initiating actions at a regional level. ESTIMATED VALUE $100,000

H. Robert Weiss

~~JOSEPH A. PEGNATO~~ H. Robert Weiss
Assistance Officer

MAY 24 1984
DATE



FEDERAL ASSISTANCE

2. APPLICANT'S APPLICATION
a. NUMBER
b. DATE Year month day 19 84 4 26
Leave Blank

3. STATE APPLICATION IDENTIFIER

1. TYPE OF ACTION (Mark appropriate box)
☐ PREAPPLICATION
☒ APPLICATION
☐ NOTIFICATION OF INTENT (Opt.)
☐ REPORT OF FEDERAL ACTION

SECTION I—APPLICANT/RECIPIENT DATA

4. LEGAL APPLICANT/RECIPIENT
a. Applicant Name :International Management & Development
b. Organization Unit : Institute
c. Street/P.O. Box :2600 Virginia Avenue, N.W.; Suite 905
d. City :Washington
e. County :
f. State :D.C.
g. ZIP Code: 20037
h. Contact Person (Name & telephone No.) Elizabeth Kirchenbauer/Robert Hamilton : 202-337-1022

5. FEDERAL
23-71110045

6. PROGRAM (From Federal Catalog)
a. NUMBER
b. TITLE

7. TITLE AND DESCRIPTION OF APPLICANT'S PROJECT
See Section IV - Remarks (next page)

8. TYPE OF APPLICANT/RECIPIENT
A–State
B–Interstate
C–Substate District
D–County
E–City
F–School District
G–Special Purpose District
H–Community Action Agency
I–Higher Educational Institution
J–Indian Tribe
K–Other (Specify):
Enter appropriate letter I

9. TYPE OF ASSISTANCE
A–Basic Grant
B–Supplemental Grant
C–Loan
D–Insurance
E–Other
Enter appropriate letter(s) A

10. AREA OF PROJECT IMPACT (Names of cities, counties, States, etc.)
Nationwide

11. ESTIMATED NUMBER OF PERSONS BENEFITING
1,500

12. TYPE OF APPLICATION
A–New
B–Renewal
C–Revision
D–Continuation
E–Augmentation
Enter appropriate letter A

13. PROPOSED FUNDING

a. FEDERAL	$	.00
b. APPLICANT		.00
c. STATE		.00
d. LOCAL		.00
e. OTHER		.00
f. TOTAL	$	.00

14. CONGRESSIONAL DISTRICTS OF:
a. APPLICANT D.C.
b. PROJECT DC + Nation

15. TYPE OF CHANGE (For 12c or 12e)
A–Increase Dollars
B–Decrease Dollars
C–Increase Duration
D–Decrease Duration
E–Cancellation
F–Other (Specify):
Enter appropriate letter(s)

16. PROJECT START DATE Year month day 1984 4 30

17. PROJECT DURATION 9 Months

18. ESTIMATED DATE TO BE SUBMITTED TO FEDERAL AGENCY ▶ Year month day 19 84 4 30

19. EXISTING FEDERAL IDENTIFICATION NUMBER
23-71110045

20. FEDERAL AGENCY TO RECEIVE REQUEST (Name, City, State, ZIP code)
Federal Emergency Management Agency, Washington, DC

21. REMARKS ADDED
☒ Yes ☐ No

SECTION II—CERTIFICATION

22. THE APPLICANT CERTIFIES THAT ▶

a. To the best of my knowledge and belief, data in this preapplication/application are true and correct, the document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is approved.

b. If required by OMB Circular A-95 this application was submitted, pursuant to instructions therein, to appropriate clearinghouses and all responses are attached:

	No response	Response attached
(1)	☒	☐
(2)	☒	☐
(3)	☒	☐

23. CERTIFYING REPRESENTATIVE
a. TYPED NAME AND TITLE
Robert B. Hamilton
Executive Director, Finance
b. SIGNATURE Robert B Hamilton
c. DATE SIGNED Year month day 19 84 4 30

SECTION III—FEDERAL AGENCY ACTION

24. AGENCY NAME

25. APPLICATION RECEIVED Year month day 19

26. ORGANIZATIONAL UNIT

27. ADMINISTRATIVE OFFICE

28. FEDERAL APPLICATION IDENTIFICATION

29. ADDRESS

30. FEDERAL GRANT IDENTIFICATION

31. ACTION TAKEN
☐ a. AWARDED
☐ b. REJECTED
☐ c. RETURNED FOR AMENDMENT
☐ d. DEFERRED
☐ e. WITHDRAWN

32. FUNDING

a. FEDERAL	$	.00
b. APPLICANT		.00
c. STATE		.00
d. LOCAL		.00
e. OTHER		.00
f. TOTAL	$	.00

33. ACTION DATE ▶ Year month day 19

34. STARTING DATE Year month day 19

35. CONTACT FOR ADDITIONAL INFORMATION (Name and telephone number)

36. ENDING DATE Year month day 19

37. REMARKS ADDED
☐ Yes ☐ No

38. FEDERAL AGENCY A-95 ACTION

a. In taking above action, any comments received from clearinghouses were considered. If agency response is due under provisions of Part 1, OMB Circular A-95, it has been or is being made.

b. FEDERAL AGENCY A-95 OFFICIAL (Name and telephone no.)

424-103

STANDARD FORM 424 PAGE 1 (10-75)
Prescribed by GSA, Federal Management Circular 74-7

SECTION IV—REMARKS *(Please reference the proper item number from Sections I, II or III, if applicable)*

Section I, #7. TITLE AND DESCRIPTION OF APPLICANT'S PROJECT

Government-business cooperation in strengthening the economic/technological/industrial base for emergency preparedness: To be achieved through (1) activating Policy Committee on National Security, (2) designing a survey on strategic needs and the role of business, (3) conducting a planning meeting, (4) convening a Policy Committee meeting, and (5) preparing a 1-year, 3-year, and 5-year plan for involving industry leaders in our national defense.

PART III – BUDGET INFORMATION

SECTION A – BUDGET SUMMARY

Grant Program, Function or Activity (a)	Federal Catalog No. (b)	Estimated Unobligated Funds: Federal (c)	Estimated Unobligated Funds: Non-Federal (d)	New or Revised Budget: Federal (e)	New or Revised Budget: Non-Federal (f)	New or Revised Budget: Total (g)
* 1. IMDI' – 7/1/83–6/30/84		$ 110,000	$ 269,287	$	$	$
* 2. IMDI – 7/1/84–6/30/85		115,000	1,210,000			
3.						
4.						
5. TOTALS		$	$	$	$	$

SECTION B – BUDGET CATEGORIES

6. Object Class Categories	FY 1984	FY 1985	am, Function or Activity		Total
	(1) Fowler-McC. Commission	(2) Fowler-McC. Commission	(3)	(4)	(5)
a. Personnel	$ 614,000	$ 752,000	$	$	$
b. Fringe Benefits	140,000	160,000			
c. Travel	75,000	87,000			
d. Equipment	42,000	24,200			
e. Supplies	23,000	40,000			
f. Contractual	70,000	85,000			
g. Construction	-0-	-0-			
h. Other **	376,950	461,800			
i. Total Direct Charges	1,341,950	1,610,000			
j. Indirect Charges	-0-	-0-			
k. TOTALS	$ 1,341,950	$ 1,610,000	$	$	$
7. Program Income	$ -0-	$	$	$	$

* Total resources for the nonprofit Institute, FY 1984 – FY 1985. Only approved grants and contracts are listed. Thus, 1985 will not total $1,610,000 or more.

** See attached detailed breakdown of

SECTION C - NON-FEDERAL RESOURCES

(a) Grant Program	(b) APPLICANT	(c) STATE	(d) OTHER SOURCES	(e) TOTALS
8. Fiscal Year 1984	$ 45,000	$ --	$ 983,400 [1]	$
9. Fiscal Year 1985	45,000	--	1,161,600	
10.				
11.				
12. TOTALS	$ 90,000	$	$ 2,145,000	$

SECTION D - FORECASTED CASH NEEDS

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	$ 100,000	$ 50,000	$ 25,000	$ 25,000	$ 5,000
14. Non-Federal					
15. TOTAL	$ 100,000	$ 50,000	$ 25,000	$ 25,000	$ 5,000

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT

(a) Grant Program	FUTURE FUNDING PERIODS (YEARS)			
	(b) FIRST	(c) SECOND	(d) THIRD	(e) FOURTH
16. For Fiscal Year 84 (30 June 84)	$ 60,000	$	$	$
17. For Fiscal Year 85 (30 June 85)	255,000			
18.				
19.				
20. TOTALS	$ 315,000	$	$	$

SECTION F - OTHER BUDGET INFORMATION [2]

(Attach additional Sheets If Necessary)

21. Direct Charges:

22. Indirect Charges: Provisional overhead rate is 20% (used on USIA and U.S. Dept. of Education contracts).
Historically, benefit expenses have been 22% of salaries.

23. Remarks:

---

[1] Corporate grants and donations.

[2] See attached FY 83 report from auditor for overview of operations

Attachment to SF-424

International Management and Development Institute

PROJECTED EXPENSES FOR IMDI

July 1, 1984 through June 30, 1985

Personnel	$ 912,000
Professional Services	85,000
Supplies	40,000
Telecommunications	43,000
Postage & Shipping	43,000
Occupancy	156,000
Rental & Maintenance of Equipment	50,000
Printing & Publications	50,000
Travel & Living	87,000
Conferences & Meetings	77,900
Dues	5,500
Furniture & Equipment	24,200
Corporate Expenses	4,800
Miscellaneous	2,000
TOTAL	$1,580,000
Depreciation	30,000
GRAND TOTAL	$1,610,000

International Management and Development Institute

PROJECTED EXPENSES FOR IMDI

July 1, 1983 through June 30, 1984

Personnel	$ 754,000
Professional Services	70,000
Supplies	23,000
Telecommunications	30,000
Postage & Shipping	32,000
Occupancy	143,000
Rental & Maintenance of Equipment	43,700
Printing & Publications	45,000
Travel & Living	75,000
Conferences & Meetings	56,900
Dues	5,250
Furniture & Equipment	42,000
Corporate Expenses	4,600
Miscellaneous	1,500
TOTAL	$1,325,950
Depreciation	16,000
GRAND TOTAL	$1,341,950

OVERSIGHT—FEDERAL EMERGENCY MANAGEMENT AGENCY

WEDNESDAY, DECEMBER 12, 1984

House of Representatives,
Committee on Science and Technology,
Subcommittee on Investigations and Oversight,
Washington, DC.

The subcommittee met, pursuant to call, at 9:40 a.m., in room 2318, Rayburn House Office Building, Hon. Albert Gore, Jr. (chairman of the subcommittee) presiding.

Mr. Gore. The subcommittee will come to order. Without objection, this hearing of the Subcommittee on Investigations and Oversight will begin. I have an opening statement and then we'll go to our first panel of witnesses.

The Subcommittee on Investigations and Oversight began its investigation of personnel, contracts, and management practices at the Federal Emergency Management Agency in March of this year, with a focus on FEMA's National Emergency Training Center in Emmitsburg, MD.

The first phase of the investigation culminated in a hearing on August 1, 1984, which led to the resignation of Fred J. Villella, the No. 3 person at FEMA, in the wake of charges of misuse of Government funds, property, and personnel, all of which was strongly supported by documents and sworn testimony.

One might have thought that the worst abuses at FEMA had been uncovered at that time. However, when the subcommittee began to focus its attention more closely on two major contractors at NETC, the Triton Co. and the IMR Co., it became apparent that what might have been viewed as the mismanagement or misconduct of a single individual or individuals at the agency, albeit highly placed, was, in fact, probably an extensive pattern of misconduct and mismanagement at the highest levels in the agency.

In the subcommittee's extended investigation, we have discovered documents and conducted interviews which suggest possible fraud and other potentially improper activities, such as improper billings, gross mismanagement and abuses of Government personnel.

The information we have reviewed raises questions as to whether favors and gratuities were granted to top FEMA officials and whether, in return, special treatment may have been provided to contractors.

Many unanswered questions exist, as well, as to the system of accounting and accountability at FEMA. Many of the allegations we are examining reflect on FEMA's procedures. Some other allegations, if proven, could possibly lead to criminal charges, but, of course, our purpose is not to establish evidence of criminal misconduct. Our constitutional purpose is to look at how certain practices could occur at FEMA and to see if laws need to be changed.

In an effort to examine these allegations, the subcommittee scheduled a hearing for last October 3 to hear from Louis Giuffrida, Director of FEMA. We had assurance that Mr. Giuffrida would appear at the hearing, indeed, that he would welcome an opportunity to "set the record straight."

However, FEMA refused to provide access to the most critical documents that the subcommittee had requested on grounds, incredibly, they publicly said the grounds were that the documents might be embarrassing to the agency. As a result, the subcommittee postponed the hearing and was forced to issue a subpoena in order to obtain the documents.

Ultimately, the agency complied with the subpoena and acknowledged the subcommittee's right to the documents. The subcommittee met again on October 9, 1984, to subpoena a number of agency officials and personnel, and rescheduled its hearing for October 24, 1984. The minority members of the subcommittee, Messrs. Winn, Skeen, McCandless and Mrs. Schneider, then chose to boycott the meeting. This was the October 9 meeting that they boycotted.

On October 10, the minority members of the subcommittee wrote the chairman of the full committee, Mr. Fuqua, stating that they did not intend to participate in the proceeding on October 24, "due to longstanding commitments in our respective districts."

Noting, however, the serious nature of the allegations, they stated in their letter their eagerness to participate in a thorough investigation by the subcommittee of any problems which may exist at the Federal Emergency Management Agency.

Recent events, however, suggest precisely the opposite, that they are not eager to participate. It now appears clear that neither Mr. Giuffrida nor the minority members of this subcommittee want to see a public inquiry into the allegations of mismanagement, waste, fraud, and abuse at the Federal Emergency Management Agency.

Last week, I received personal assurances from the ranking minority member of this subcommittee that he or another minority member would, in fact, participate during today's proceeding. Yet, less than 48 hours ago, I received a copy of a letter stating—restating the minority's desire for a thorough investigation. However, this letter indicates that my colleagues on the minority side have once again found an excuse not to pursue this matter and they have refused to attend today's proceeding.

So today we're faced again with the minority's desire to see the—stated desire—to see the subcommittee's activities go forward, and yet their unwillingness to participate. In concert with the minority, FEMA has again refused to turn over documents requested by the subcommittee or to cooperate further with the subcommittee.

The Science and Technology Committee is unusual among congressional committees in that it proceeds by consensus. It has a unique rule allowing the minority members of the committee to frustrate legitimate efforts by the majority for purely political reasons. The minority has suggested that a grand jury proceeding is under way and that that should prevent the subcommittee from examining these issues.

Of course, that is totally baseless because our constitutional prerogatives are completely separate from the role and purpose of the Justice Department. We have the authority under the Constitution to investigate these matters in order to learn whether or not laws need to be changed or whether new laws need to be enacted.

What has happened, we have been told, is that the Director of FEMA and his top staff employees are very nervous about answering questions concerning the allegations of mismanagement and abuse. They contacted the minority members of the subcommittee and asked them if there was some way they might be able to torpedo the hearing and prevent a situation where General Giuffrida and his staff would have to answer these questions about their mismanagement of the Agency.

After the contact from General Giuffrida, the minority members have decided to go back on their word and boycott today's hearing. Now, the consequence of their action is that legally, it is very difficult for the subcommittee to legally enforce the subpoenas which have been issued in the absence of a minority member because of the unusual rules of the committee. Knowing this, General Giuffrida and all of his top staff people announced that they would not attend the meeting today, even though they had been subpoenaed, even though this subcommittee has jurisdiction over the activities of the Agency, and even though very serious allegations have been made. They do not wish to respond to questions about the allegations of mismanagement.

It is, in my opinion, a legalistic coverup of the activities that form the basis of this investigation. But it will not succeed because this information will come out and General Giuffrida and his staff will be forced to answer questions about it sooner or later.

I will have more to say throughout the morning about how we are going to proceed from here, but I wish to say at this point that I am recommending to the Science and Technology Committee—and I will not be a member of it next year—but I am strongly recommending to the Science and Technology Committee that the committee change its rules of procedure to clearly permit oversight hearings and the enforcement of legally authorized subpoenas in the absence of minority members so as to deny minority members the ability to veto efforts by the committee to uncover the truth about matters such as this.

I want to welcome my colleague on the subcommittee, Jim Scheuer, to this hearing and I wish to say, for the record, that I have spoken with the majority members of this subcommittee and have heard from them that this matter is going to be pursued in January by this subcommittee. I have also received expressions of concern and interest on the part of another subcommittee, the Oversight and Investigations Subcommittee of the House Commerce Committee, chaired by John Dingell, and there may well be a joint hearing of these two subcommittees to pursue these allegations further in January.

At this point, before turning to my colleague, let me note that this hearing is proceeding as an investigative hearing. The rules of the committee and the rules of the Congress will be provided at the witness table. Since this is an investigative hearing, we will follow the tradition of the subcommittee in investigative hearings to swear in all witnesses.

I also want to make special note of the fact that all witnesses are entitled to counsel if they desire to be so represented and I want to make note of the fact that each witness has the right to decline to answer any question which he or she believes may tend to incriminate him or her by invoking the fifth amendment to the Constitution protecting against self-incrimination. That is the only reason which can be cited for refusing to answer a question, but I wanted to make special note of that fact.

Now I'd like to recognize my colleague, Congressman Jim Scheuer.

Mr. SCHEUER. Thank you, Mr. Chairman.

I very much regret that this is the last time that you and I will be participating in a hearing together, at least in a hearing in the House. We will miss you here, Al, and the quality of the House will suffer as a result of your leaving us. The quality of our work, of our imagination, of our creativity will all be diminished, but the increase in the quality of the Senate is of such an order of magnitude greater by the fact of your joining them that I would have to conclude reluctantly on the bottom line, it's a good thing for our country. [Laughter.]

Mr. SCHEUER. We all know that you're going to make your mark over there very quickly; you will very soon establish yourself as one of the most thoughtful, creative, ingenious, and resourceful and eloquent members of that body and we look forward to continuing our friendship with you and working together with you, perhaps, on causes of mutual esteem. We acknowledge our loss, but we salute the gain of the Senate. We envy them the quality that they're acquiring and we thank you for many long years of friendship and collegiality.

Mr. GORE. We'll hold the record open so you can revise and extend those remarks.

Thank you for your kind words, and you, I know, went to great trouble and stayed in town especially to attend today's hearing and I'm most grateful for that fact. Thank you very, very much.

I'd like to recognize Congressman Dan Glickman. Do you have anything?

Mr. GLICKMAN. No, no comments.

Mr. GORE. All right.

I was saying before that the minority members of the subcommittee had acted in collusion with the witnesses from FEMA who were subpoenaed to testify today. We have just received a letter from the Triton Corp., from the counsel to the Triton Corp.—the same lawyer represents the Triton Corp. and Mr. Villella. He is a Mr. Thomas Carrocio. He says, "By letters of December 10, 1984, the minority members of the subcommittee formally notified the committee chairman and the subcommittee chairman that none of the minority members would be present at the hearing scheduled for today. It would appear, therefore, that the subcommittee will not be properly constituted for taking testimony or receiving evidence under House rule XI(h)(1) and committee rule XI.

"In the event a proper quorum . . . is not present at the convening of the scheduled hearing," and so forth and so on, and they notify us that they are not going to appear to testify.

Now, that's pretty clear, it seems to me, and if I was a minority member of this subcommittee, I would be very embarrassed to allow myself to be used by the officials of a company charged with illegally spending taxpayers' funds, who were subpoenaed lawfully to appear before a congressional committee and then to have this kind of collusion between the minority members of the subcommittee and the corporation under investigation, as well as the head of the agency, and a concerted action to create a legal situation that will lead them to believe they can escape responsibility for the mismanagement and abuse, waste and fraud that has taken place.

At this point, I'd like to ask who is here among the witnesses that have been subpoenaed for today. Is Mr. Louis Giuffrida here?

[No response.]

Mr. GORE. Would you raise your hand or stand up if you are here. You have been lawfully subpoenaed to appear here today and we'd like you to acknowledge your presence.

[No response.]

Mr. GORE. No; he's not here. He's defying the subpoena.

Mr. Robert Morris, Deputy Director of FEMA. Would you acknowledge your presence by raising your hand or standing up.

[No response.]

Mr. GORE. No. Mr. Gerald S. Martin, Executive Deputy Director of FEMA. Would Mr. Martin acknowledge his presence by raising his hand or standing up.

[No response.]

Mr. GORE. Mr. Martin has also chosen to defy the subpoena.

Mr. Robert Goffus, inspector general at FEMA. Would you acknowledge your presence by raising your hand or standing up.

[No response.]

Mr. GORE. Mr. Frank Payne, special assistant to Mr. Giuffrida. Would Mr. Payne acknowledge his presence.

[No response.]

Mr. GORE. Mr. George Jett, general counsel of FEMA, would he acknowledge his presence.

[No response.]

Mr. GORE. Mr. Ron Eberhardt, Director of Congressional Affairs for FEMA. Would you acknowledge your presence, Mr. Eberhardt.

[No response.]

Mr. GORE. Mr. Richard Salvatierra, president of the Triton Corp. Would you acknowledge your presence by raising your hand or standing up.

[No response.]

Mr. GORE. Mr. Albert Ferri, executive vice president of Triton. Would you acknowledge your presence.

[No response.]

Mr. GORE. Mr. John Smith, project officer with Triton Corp. Would you acknowledge your presence.

[No response.]

Mr. GORE. Mr. David Nicholas, former Triton subcontractor, would you——

Mr. NICHOLAS. Yes, Mr. Chairman.

Mr. **Gore**. Thank you for appearing, Mr. Nicholas, we appreciate it very much, all the more so under the circumstances.

Mr. Ike Gibson, president of the IMR Corp. Would you acknowledge your presence.

Mr. **Haake**. Mr. Chairman, my name is Timothy Haake. I am counsel to Mr. Gibson. He is not able to attend today because he is at this moment meeting with the Justice Department on exactly the same issues that you are looking into here. I have a letter which explains his reason for not attending and his willingness to meet with you at your convenience——

Mr. **Gore**. Why don't you sit down at the witness table for just a moment and identify yourself to the reporter, and I'd like you to give us the letter, if you would.

Mr. **Haake**. I'd be happy to.

Mr. **Gore**. State your name again, please.

Mr. **Haake**. Timothy Haake, H-a-a-k-e, and——

Mr. **Gore**. And you represent Mr. Ike Gibson, the president of the IMR Corp.

Mr. **Haake**. Yes, sir.

Mr. **Gore**. You met with the staff of the subcommittee on Friday, did you not?

Mr. **Haake**. Yes, sir.

Mr. **Gore**. And you were told that this excuse would not be accepted and was not legally valid, were you not?

Mr. **Haake**. That's not my recollection of the conversation, Mr. Chairman. I was informed that the hearing would go on and that we would have to act in whatever way we thought was appropriate.

Mr. **Gore**. Why is your client not here?

Mr. **Haake**. Well, as the letter indicates, on advice of other counsel, he is meeting with the Justice—I'm sorry, he is meeting with the Justice Department right now, but on advice of other counsel, he feels that because he's facing potential criminal charges from the grand jury and the Justice Department, that his testimony here would be inappropriate and possibly injurious to his rights.

Mr. **Gore**. Well, that is a personal privilege which he has to personally assert. I stated earlier that any witness is entitled to invoke the fifth amendment and to have counsel present and in any event, he cannot simply refuse to honor a congressional subpoena duly authorized and duly issued. Did you advise him that this was all right for him to simply ignore a congressional subpoena?

Mr. **Haake**. No; I think the letter that I have delivered to you also indicates the objection under rule XI as to the lack of a quorum, and as I said, based on other counsel's advice to him, he was advised that——

Mr. **Gore**. First of all, a point of order has to be raised by a Republican member in order to invoke rule XI at the hearing. Did you receive assurances or did your client receive assurances from the Republican members of the committee that they would be attempting to torpedo the hearing?

Mr. **Haake**. No, we received a letter—a copy of the letter that was sent to you by Congressman Skeen——

Mr. **Gore**. Who sent the letter to you?

Mr. **Haake**. That was counsel for Triton.

Mr. **Gore**. Who sent the letter to counsel for Triton?

Mr. Haake. I have no idea, sir.

Mr. Gore. Is the counsel for Triton present? Is Mr. Carrocio here? Would you come up and join us at the witness table, Mr. Carrocio?

Did the Republican members of the committee send you the letter saying that they were going to try to torpedo this hearing?

Mr. Carrocio. Mr. Chairman, all of this information is under the attorney's work product and we claim that privilege.

Mr. Gore. You know, I'd be really embarrassed if I were you all and also the Republican members of this committee ought to be embarrassed. This is a very interesting concerted effort to prevent the public from getting the facts of this matter.

Now, you're refusing to answer the question as to whether or not you were notified by the Republican members of the subcommittee——

Mr. Carrocio. That is correct, Mr. Chairman.

Mr. Gore. Mr. Glickman.

Mr. Glickman. I'm just curious about the allegation or the point made on work product. It's covered within the work product rule as to material in a letter that was sent to us—delivered to us today—on the point of order as a result of a quorum when we didn't even know we were going to have a quorum until Mr. Gore opened the hearing this morning?

Mr. Carrocio. Mr. Glickman, I think if you read the letter which was read before you arrived that you would know that reliance was placed upon a written letter which was in our possession.

Mr. Gore. Mr. Haake, Mr. Carrocio was the one who informed you, who sent you the letter from the Republican members of the committee; is that right?

Mr. Haake. That's correct.

Mr. Gore. Let me advise you, Mr. Carrocio, that the work product privilege has been held by the courts on every occasion as an assertion as against the rights of Congress to compel an answer to a question, so I would like to direct you to answer the question. Were you informed by the Republican members of the committee that they were intending to try to torpedo this hearing today?

Mr. Carrocio. Mr. Chairman, if this committee is not ready to accept the work product privilege, I would assert that there is no quorum here for the purpose of taking testimony. I will——

Mr. Gore. You have no right to make such an assertion. Only a member of the committee has a right to invoke rule XI or point of order.

Mr. Carrocio. No, sir. I invoke it; I claim it—not as a point of order, but as a constitutional protection.

Mr. Gore. Well, I find your response contemptuous of the subcommittee. That is my own personal feeling. The subcommittee, as a whole, and the committee will take it under advisement as to what action might proceed.

I'd be glad to hear from the minority staff present as to whether or not there is a concerted action on this matter, as to whether or not the minority members informed the corporations that were subpoenaed and the Director and the staff of FEMA that they need not appear this morning.

If they wish to comment, I'd be glad to hear any statement from the minority staff.

[No response.]

Mr. **Gore**. No comment. Let me note for the record that Mr. Lamina and Mr. Jeffrey are both present and both have declined to comment on this matter.

You know, really, I'd be embarrassed. It's an incredible thing that we would have the kind of allegations that we have had here and you all would go to these extremes to try to prevent the truth from coming out.

Now, let me just finish this part of it up by asking whether or not Mr. William Elsey, vice president of IMR Corp., is here in compliance with the subpoena.

Mr. **Haake**. I have no knowledge of that, sir.

Mr. **Gore**. Is Mr. Elsey here? Would you identify yourself by raising your hand or standing up.

[No response.]

Mr. **Gore**. You don't represent him?

Mr. **Haake**. No, sir.

Mr. **Gore**. Well, we haven't heard from him in any way. I'm corrected by staff saying we heard from his counsel last night, but his counsel did not tell us whether or not he was going to be here.

Ms. Paula Smith-Elsey, is she present? Would you identify yourself by raising your hand or standing up.

[No response.]

Mr. **Gore**. No.

OK, I believe one other witness is here, the executive vice president of Analytical Systems Engineering Corp., Mr. Frank Serio. Would you identify yourself.

[Witness stands.]

Mr. **Gore**. Thank you, Mr. Serio. OK, so we have Mr. Serio and Mr. Nicholas. Mr. Nicholas is a former subcontractor. But the witnesses from Triton, the witnesses from IMR, and the witnesses from the Director's office at FEMA and the top staff at FEMA are all choosing to act in contempt of the subcommittee and refusing to comply with the subpoena.

Just to close the record on this point, Mr. Carrocio, the Chair rules that there is an insufficient legal basis cited upon which to refuse to respond to the question which was asked to you and I would direct you once again to respond to the question, for the record and then I would like to make a finding.

Mr. **Carrocio**. Refusal noted.

Mr. **Gore**. The Chair finds that this conduct is contemptuous. It will be referred to the committee for its consideration. Both of you are—are excused from the witness table.

We will place in the record at this point the subpoenas that were issued for the witnesses who have chosen not to appear. We will also place in the record the legal basis for those subpoenas, the record of the consideration of the subpoenas and the Chair finds that these persons who were called and subpoenaed to testify are in contempt of the Congress. The Chair's finding will be referred to the full committee for its determination at an appropriate time.

[The information follows:]

ORIGINAL

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To James E. Jensen and/or Elizabeth A. Eastman

You are hereby commanded to summon Louis O. Giuffrida

to be and appear before the Subcommittee on Investigations and Oversight of the Science and Technology

Committee of the House of Representatives of the United States, of which the Hon. Albert Gore, Jr. is chairman,

in their chamber in the city of Washington, on Wednesday, October 24, 1984, in Room 2318 of the Rayburn House Office Building, at the hour of 10:00 a.m.

then and there to testify touching matters of inquiry committed to said Committee; and he is not to depart without leave of said Committee.

Herein fail not, and make return of this summons.

Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 9th day of October, 19 84

Don Fuqua

Chairman.

Attest: Benjamin J. Guthrie

Clerk.

ORIGINAL

Subpena for Louis O. Giuffrida

before the Committee on ~~the~~ Science and Technology, Subcommittee on Investigations and Oversight

L O Giuffrida

Served 2:08 pm. 10.15.84

Rm. 829 FEMA

Elizabeth A. [illegible]

House of Representatives

U.S. GOVERNMENT PRINTING OFFICE : 1984 - 37-760

ORIGINAL

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To James E. Jensen and/or Elizabeth A. Eastman

You are hereby commanded to summon Paula Smith-Elsey

to be and appear before the Subcommittee on Investigations and Oversight of the Science and Technology

Committee of the House of Representatives of the United States, of which the Hon. Albert Gore, Jr. is chairman,

in their chamber in the city of Washington, on Wednesday, October 24, 1984, in Room 2318 of the Rayburn House Office Building, at the hour of 10:00 a.m.

then and there to testify touching matters of inquiry committed to said Committee; and he is not to depart without leave of said Committee.

Herein fail not, and make return of this summons.

Witness my hand and the seal of the House of Representatives
of the United States, at the city of Washington, this
9th day of October, 19 84

Chairman.

Attest: Benjamin J. Guthrie
Clerk.

ORIGINAL

Subpena for Paula Smith-Elsey

before the Committee on ~~the~~ Science and
Technology Subcommittee on
Investigations and Oversight

Paula A. Elsey

Served 9:51 am 10-17-84
5230 Navaho Drive
Alexandria Va.

Elizabeth A. Easton

House of Representatives

U.S. GOVERNMENT PRINTING OFFICE : 1984 - 37-760

ORIGINAL

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To James E. Jensen and/or Elizabeth A. Eastman

You are hereby commanded to summon William H. Elsey, III

to be and appear before the Subcommittee on Investigations and Oversight of the Science and Technology

Committee of the House of Representatives of the United States, of which the Hon.

Albert Gore, Jr. is chairman,

in their chamber in the city of Washington, on Wednesday, October 24, 1984, in Room 2318 of the Rayburn House Office Building, at the hour of 10:00 a.m.

then and there to testify touching matters of inquiry committed to said Committee; and he is not to depart without leave of said Committee.

Herein fail not, and make return of this summons.

Witness my hand and the seal of the House of Representatives
of the United States, at the city of Washington, this
9th day of October, 19 84

Chairman.

Attest: Benjamin J. Guthrie
Clerk.

ORIGINAL

Subpena for William H. Elsey, III

before the Committee on ~~the~~ Science and Technology Subcommittee on Investigations and Oversight

Served

for Wm. Elsey

10:55 am, Oct 15, 1984

Suite 1360, 1300 N. 17th

Arl. Va.

House of Representatives

U.S. GOVERNMENT PRINTING OFFICE : 1984 - 37-760

ORIGINAL

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To James E. Jensen and/or Elizabeth A. Eastman

You are hereby commanded to summon Ike Gibson

to be and appear before the Subcommittee on Investigations and Oversight of the Science and Technology

Committee of the House of Representatives of the United States, of which the Hon.

Albert Gore, Jr. is chairman,

in their chamber in the city of Washington, on Wednesday, October 24, 1984, in Room 2318 of the Rayburn House Office Building, at the hour of 10:00 a.m.

then and there to testify touching matters of inquiry committed to said Committee; and he is not to depart without leave of said Committee.

Herein fail not, and make return of this summons.

Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 9th day of October, 19 84

Chairman.

Attest: Benjamin J. Guthrie

Clerk.

ORIGINAL

Subpena for Ike Gibson

before the Committee on ~~the~~ Science and Technology, Subcommittee on Investigations and Oversight

Served

10:55am Oct. 15 1984

Suite 1360, 1300 N. 17th

Arlington

Elizabeth A. [illegible]

House of Representatives

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ORIGINAL

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To James E. Jensen and/or Elizabeth A. Eastman

You are hereby commanded to summon John Smith

to be and appear before the Subcommittee on Investigations and Oversight of the Science and Technology

Committee of the House of Representatives of the United States, of which the Hon. Albert Gore, Jr. is chairman,

in their chamber in the city of Washington, on Wednesday, October 24, 1984, in Room 2318 of the Rayburn House Office Building, at the hour of 10:00 a.m.

then and there to testify touching matters of inquiry committed to said Committee; and he is not to depart without leave of said Committee.

Herein fail not, and make return of this summons.

Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 9th day of October, 1984

Don Fuqua

Chairman.

Attest: Benjamin J. Guthrie

Clerk.

ORIGINAL

Subpena for John Smith

before the Committee on ~~the~~ Science and Technology, Subcommittee on Investigations and Oversight

Served 4:46 16 oct 1986

John

House of Representatives

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DON FUQUA (Fla.), Chairman

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GEORGE E. BROWN, JR., CALIF.
JAMES H. SCHEUER, N.Y.
RICHARD L. OTTINGER, N.Y.
TOM HARKIN, IOWA
MARILYN LLOYD, TENN.
DOUG WALGREN, PA.
DAN GLICKMAN, KANS.
ALBERT GORE, JR., TENN.
ROBERT A. YOUNG, MO.
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U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON SCIENCE AND TECHNOLOGY
SUITE 2321 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-6371

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HAROLD P. HANSON
Executive Director
ROBERT C. KETCHAM
General Counsel
DAVID S. JEFFERY
Minority Staff Director

December 6, 1984

Mr. Albert Ferri
Executive Vice President
Triton Corporation
1255 23rd Street, N. W.
Suite 275
Washington, D. C.

Dear Mr. Ferri:

As your office was advised, on October 9, 1984 a subpoena was issued to you which we attempted to serve. However, because you were out of the country, we were unable to do so.

The subpoena calls for your appearance at a hearing before the Subcommittee on Investigations and Oversight on October 24, 1984. The hearing was subsequently postponed until December 12, 1984.

This letter is to inform you that the subpoena, which is herein being served by the U. S. Marshal, is returnable at that hearing on December 12, 1984, at 10:00 a.m. in Room 2318 of the Rayburn House Office Building, Washington, D. C.

Sincerely,

Albert Gore, Jr.

Albert Gore, Jr.
Chairman
Subcommittee on
Investigations and Oversight

ORIGINAL

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To James E. Jensen and/or Elizabeth A. Eastman

You are hereby commanded to summon Albert Ferri

to be and appear before the Subcommittee on Investigations and Oversight of the Science and Technology

Committee of the House of Representatives of the United States, of which the Hon. Albert Gore, Jr. is chairman,

in their chamber in the city of Washington, on Wednesday, October 24, 1984, in Room 2318 of the Rayburn House Office Building, at the hour of 10:00 a.m.

then and there to testify touching matters of inquiry committed to said Committee; and he is not to depart without leave of said Committee.

Herein fail not, and make return of this summons.

Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 9th day of October, 1984

Don Fuqua

Chairman.

Attest: Benjamin J. Guthrie

Clerk.

ORIGINAL

Subpena for Albert Ferri

before the Committee on ~~the~~ Science and Technology, Subcommittee on Investigations and Oversight

Served

House of Representatives

U.S. GOVERNMENT PRINTING OFFICE : 1984 - 37-760

ORIGINAL

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To James E. Jensen and/or Elizabeth A. Eastman

You are hereby commanded to summon Richard Salvatierra

to be and appear before the Subcommittee on Investigations and Oversight of the Science and Technology Committee of the House of Representatives of the United States, of which the Hon. Albert Gore, Jr. is chairman,

in their chamber in the city of Washington, on Wednesday, October 24, 1984, in Room 2318 of the Rayburn House Office Building, at the hour of 10:00 a.m. then and there to testify touching matters of inquiry committed to said Committee; and he is not to depart without leave of said Committee.

Herein fail not, and make return of this summons.

Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 9th day of October, 19 84

Chairman.

Attest: Benjamin J. Guthrie

Clerk.

ORIGINAL

Subpena for Richard Salvatierra

before the Committee on ~~the~~ Science and

Technology, Subcommittee on

Investigations and Oversight

Richard D. Salvatierra

Served 2:40 pm. 10-16-84

Litton Corp. 1255 - 23rd St.

N.W., Suite 275, D.C.

House of Representatives

U.S. GOVERNMENT PRINTING OFFICE : 1984 - 37-760

ORIGINAL

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To James E. Jensen and/or Elizabeth A. Eastman

You are hereby commanded to summon Ronald G. Eberhardt

to be and appear before the Subcommittee on Investigations and Oversight of the Science and Technology Committee of the House of Representatives of the United States, of which the Hon. Albert Gore, Jr. is chairman,

in their chamber in the city of Washington, on Wednesday, October 24, 1984, in Room 2318 of the Rayburn House Office Building, at the hour of 10:00 a.m. then and there to testify touching matters of inquiry committed to said Committee; and he is not to depart without leave of said Committee.

Herein fail not, and make return of this summons.

Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 9th day of October, 19 84

Don Fuqua
Chairman.

Attest: Benjamin J Guthrie
Clerk.

ORIGINAL

Subpena for Ronald G. Eberhardt

before the Committee on ~~the~~ Science and Technology, Subcommittee on Investigations and Oversight

Ronald G Eberhardt

Served 2:09 pm., Oct 10, 1984
Room 809 FEMA

Elizabeth A. Easton
House of Representatives

U.S. GOVERNMENT PRINTING OFFICE : 1984 - 37-760

ORIGINAL

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To James E. Jensen and/or Elizabeth A. Eastman

You are hereby commanded to summon George Jett

to be and appear before the Subcommittee on Investigations and Oversight of the Science and Technology

Committee of the House of Representatives of the United States, of which the Hon. Albert Gore, Jr. is chairman,

in their chamber in the city of Washington, on Wednesday, October 24, 1984, in Room 2318 of the Rayburn House Office Building, at the hour of 10:00 a.m.

then and there to testify touching matters of inquiry committed to said Committee; and he is not to depart without leave of said Committee.

Herein fail not, and make return of this summons.

Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 9th day of October, 1984

Chairman.

Attest: Benjamin J. Guthrie
Clerk.

ORIGINAL

Subpena for George Jett

before the Committee on ~~the~~ Science and Technology, Subcommittee on Investigations and Oversight

Served 2:05 pm, Oct. 10, 1984
Room 839 FEMA

House of Representatives

U.S. GOVERNMENT PRINTING OFFICE : 1984 - 37-760

ORIGINAL

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To James E. Jensen and/or Elizabeth A. Eastman

You are hereby commanded to summon Frank Payne

to be and appear before the Subcommittee on Investigations and Oversight of the Science and Technology

Committee of the House of Representatives of the United States, of which the Hon. Albert Gore, Jr. is chairman,

in their chamber in the city of Washington, on Wednesday, October 24, 1984, in Room 2318 of the Rayburn House Office Building, at the hour of 10:00 a.m.

then and there to testify touching matters of inquiry committed to said Committee; and he is not to depart without leave of said Committee.

Herein fail not, and make return of this summons.

Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 9th day of October, 19 84

Chairman.

Attest: Benjamin J. Guthrie

Clerk.

ORIGINAL

Subpena for Frank Payne

before the Committee on ~~the~~ Science and Technology, Subcommittee on Investigations and Oversight

Frank Payne

Served 2:03 pm. Oct 10, 1984

Room 829, FEMA

Elizabeth A. Eaton House of Representatives

U.S. GOVERNMENT PRINTING OFFICE : 1984 - 37-760

ORIGINAL

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To James E. Jensen and/or Elizabeth A. Eastman

You are hereby commanded to summon Robert C. Goffus

to be and appear before the Subcommittee on Investigations and Oversight of the Science and Technology

Committee of the House of Representatives of the United States, of which the Hon. Albert Gore, Jr. is chairman,

in their chamber in the city of Washington, on Wednesday, October 24, 1984, in Room 2318 of the Rayburn House Office Building, at the hour of 10:00 a.m.

then and there to testify touching matters of inquiry committed to said Committee; and he is not to depart without leave of said Committee.

Herein fail not, and make return of this summons.

Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 9th day of October, 1984

Chairman.

Attest: Benjamin J Guthrie

Clerk.

ORIGINAL

Subpena for Robert C. Goffus

before the Committee on ~~the~~ Science and Technology, Subcommittee on Investigations and Oversight

Robert C Goffus 10/10/84

Served 2:02 pm., Oct 10, 1984

Rm. 809, FEMA

House of Representatives

U.S. GOVERNMENT PRINTING OFFICE : 1984 - 37-760

ORIGINAL

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To James E. Jensen and/or Elizabeth A. Eastman

You are hereby commanded to summon Gerald S. Martin

to be and appear before the Subcommittee on Investigations and Oversight of the Science and Technology

Committee of the House of Representatives of the United States, of which the Hon. Albert Gore, Jr. is chairman,

in their chamber in the city of Washington, on Wednesday, October 24, 1984, in Room 2318 of the Rayburn House Office Building, at the hour of 10:00 a.m.

then and there to testify touching matters of inquiry committed to said Committee; and he is not to depart without leave of said Committee.

Herein fail not, and make return of this summons.

Witness my hand and the seal of the House of Representatives
of the United States, at the city of Washington, this
9th day of October, 19 84

Don Fuqua
Chairman.

Attest: Benjamin J. Guthrie
Clerk.

ORIGINAL

Subpena for Gerald S. Martin

before the Committee on ~~the~~ Science and Technology, Subcommittee on Investigations and Oversight

Served 2:11 pm. Oct. 10, 1984
Room 829, FSMA

House of Representatives

U.S. GOVERNMENT PRINTING OFFICE : 1984 - 37-760

ORIGINAL

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To James E. Jensen and/or Elizabeth A. Eastman

You are hereby commanded to summon Robert H. Morris

to be and appear before the Subcommittee on Investigations and Oversight of the Science and Technology

Committee of the House of Representatives of the United States, of which the Hon. Albert Gore, Jr. is chairman,

in their chamber in the city of Washington, on Wednesday, October 24, 1984, in Room 2318 of the Rayburn House Office Building, at the hour of 10:00 a.m.

then and there to testify touching matters of inquiry committed to said Committee; and he is not to depart without leave of said Committee.

Herein fail not, and make return of this summons.

Witness my hand and the seal of the House of Representatives of the United States, at the city of Washington, this 9th day of October, 1984

Don Fuqua

Chairman.

Attest: Benjamin J. Guthrie

Clerk.

ORIGINAL

Subpena for Robert H. Morris

before the Committee on ~~the~~ Science and Technology, Subcommittee on Investigations and Oversight

Served 2:05 pm. 10·15·84

Elizabeth G. Eastman
House of Representatives

U.S. GOVERNMENT PRINTING OFFICE : 1984 - 37-760

SUBCOMMITTEE ON INVESTIGATIONS AND OVERSIGHT

October 9, 1984
2318 Rayburn H.O.B.
Washington, D.C.

The Subcommittee met, pursuant to notice, at 1:15 p.m. in Room 2318 of the Rayburn House Office Building to consider the issuance of subpoenas for testimony at the Subcommittee's hearing scheduled for October 24, 1984 on FEMA Oversight.

Members present:

Mr. Gore, Chairman
Mr. Scheuer
Mr. Volkmer
Mr. Durbin
Mr. Reid
Mr. Roe

Congressional staff present:

Steve Ross, Esquire
General Counsel to the Clerk
U.S. House of Representatives

Committee staff present:

Mr. Ketcham
Mr. Nicholas
Mr. Jensen
Mrs. Eastman
Mr. Jeffery
Mr. Lamina

Mr. Reid made a motion that the Subcommittee meet to consider issuance of subpoenas pursuant to the provisions of Committee Rule 18(b). The motion was approved by the following roll call vote:

Ayes	Nays	Present	Not Voting
Mr. Reid			
Mr. Volkmer			
Mr. Roe			
Mr. Durbin			
Mr. Scheuer			
Mr. Gore			

The motion was carried by a vote of six to zero.

I & O Minutes
October 9, 1984
Page Two

Mr. Reid made a motion that the Subcommittee authorize the Chairman to authorize and issue subpoenas to appropriate governmental officials and other persons whose presence is necessary at the Subcommittee hearing on October 24, 1984, on the subject of management practices at the Federal Emergency Management Agency.

The motion to issue subpoenas carried by the following roll call vote:

Aye	Nay	Present	Not Voting
Mr. Reid			
Mr. Volkmer			
Mr. Roe			
Mr. Durbin			
Mr. Scheuer			
Mr. Gore			

The vote was unanimous by a recorded vote of six to zero.

Subject to the call of the chair, the Subcommittee adjourned at 1:20 p.m.

Robert B. Nicholas
Chief Counsel/Staff Director
Subcommittee on Investigations
and Oversight

DON FUQUA (Fla.), Chairman

ROBERT A. ROE, N.J.
GEORGE E. BROWN, JR., CALIF.
JAMES H. SCHEUER, N.Y.
RICHARD L. OTTINGER, N.Y.
TOM HARKIN, IOWA
MARILYN LLOYD, TENN.
DOUG WALGREN, PA.
DAN GLICKMAN, KANS.
ALBERT GORE, JR., TENN.
ROBERT A. YOUNG, MO.
HAROLD L. VOLKMER, MO.
BILL NELSON, FLA.
STAN LUNDINE, N.Y.
RALPH M. HALL, TEX.
DAVE MC CURDY, OKLA.
MERVYN M. DYMALLY, CALIF.
PAUL SIMON, ILL.
NORMAN Y. MINETA, CALIF.
RICHARD J. DURBIN, ILL.
MICHAEL A. ANDREWS, TEX.
BUDDY MAC KAY, FLA.
TIM VALENTINE, N.C.
HARRY M. REID, NEV.
ROBERT G. TORRICELLI, N.J.
FREDERICK C. BOUCHER, VA.

U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON SCIENCE AND TECHNOLOGY
SUITE 2321 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-6371

LARRY WINN, JR., KANS.
MANUEL LUJAN, JR., N. MEX.
ROBERT S. WALKER, PA.
WILLIAM CARNEY, N.Y.
F. JAMES SENSENBRENNER, JR., WIS.
JUDD GREGG, N.H.
RAYMOND J. MC GRATH, N.Y.
JOE SKEEN, N. MEX.
CLAUDINE SCHNEIDER, R.I.
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ROD CHANDLER, WASH.
HERBERT H. BATEMAN, VA.
SHERWOOD L. BOEHLERT, N.Y.
ALFRED A. MC CANDLESS, CALIF.
TOM LEWIS, FLA.

J. H. POORE
Executive Director
ROBERT C. KETCHAM
General Counsel
DAVID S. JEFFERY
Minority Staff Director

October 23, 1984

CERTIFIED MAIL

Mr. Louis O. Giuffrida
Federal Emergency Management Agency
Federal Center Plaza
500 C Street, SW
Washington, DC 20472

Dear Mr. Giuffrida:

As you have been advised, the Subcommittee's hearing scheduled for October 24, 1984 has been delayed until December 12, 1984. The hearing will begin at 10:00 a.m. in Room 2318 of the Rayburn House Office Building.

Please be further advised that the subpoena previously issued to you in this matter on October 9, 1984 is still in effect, and your appearance at the December 12th hearing is required.

Sincerely,

Albert Gore, Jr.

Albert Gore, Jr.
Chairman
Subcommittee on Investigations
and Oversight

AG/Ntk

DON FUQUA (Fla.), Chairman

ROBERT A. ROE, N.J.
GEORGE E. BROWN, JR., CALIF.
JAMES H. SCHEUER, N.Y.
RICHARD L. OTTINGER, N.Y.
TOM HARKIN, IOWA
MARILYN LLOYD, TENN.
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TOM LEWIS, FLA.

J. H. POORE
Executive Director
ROBERT C. KETCHAM
General Counsel
DAVID S. JEFFERY
Minority Staff Director

October 23, 1984

CERTIFIED MAIL

Mrs. Paula Smith-Elsey
5230 Navaho Drive
Alexandria, VA 22312

Dear Mrs. Smith-Elsey:

As you have been advised, the Subcommittee's hearing scheduled for October 24, 1984 has been delayed until December 12, 1984. The hearing will begin at 10:00 a.m. in Room 2318 of the Rayburn House Office Building.

Please be further advised that the subpoena previously issued to you in this matter on October 9, 1984 is still in effect, and your appearance at the December 12th hearing is required.

Sincerely,

Albert Gore, Jr.

Albert Gore, Jr.
Chairman
Subcommittee on Investigations
and Oversight

AG/Ntk

DON FUQUA (Fla.), Chairman

ROBERT A ROE N J
GEORGE E BROWN JR CALIF
JAMES H SCHEUER N Y
RICHARD L OTTINGER N Y
TOM HARKIN IOWA
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TOM LEWIS FLA

J H POORE
Executive Director
ROBERT C KETCHAM
General Counsel
DAVID S JEFFERY
Minority Staff Director

October 23, 1984

CERTIFIED MAIL

Mr. William H. Elsey
IMR
5113 Leesburg Pike, Suite 211
Falls Church, VA 22201

Dear Mr. Elsey:

As you have been advised, the Subcommittee's hearing scheduled for October 24, 1984 has been delayed until December 12, 1984. The hearing will begin at 10:00 a.m. in Room 2318 of the Rayburn House Office Building.

Please be further advised that the subpoena previously issued to you in this matter on October 9, 1984 is still in effect, and your appearance at the December 12th hearing is required.

Sincerely,

Albert Gore, Jr.

Albert Gore, Jr.
Chairman
Subcommittee on Investigations
and Oversight

AG/Ntk

DON FUQUA (Fla) Chairman

ROBERT A ROE N J
GEORGE E BROWN JR CALIF
JAMES H SCHEUER N Y
RICHARD L OTTINGER N Y
TOM HARKIN IOWA
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TOM LEWIS FLA

J H POORE
Executive Director
ROBERT C KETCHAM
General Counsel
DAVID S JEFFERY
Minority Staff Director

October 23, 1984

CERTIFIED MAIL

Mr. Ike Gibson
Pres. IMR Corp.
1300 N. 17th Street
Arlington, VA 22209

Dear Mr. Gibson:

As you have been advised, the Subcommittee's hearing scheduled for October 24, 1984 has been delayed until December 12, 1984. The hearing will begin at 10:00 a.m. in Room 2318 of the Rayburn House Office Building.

Please be further advised that the subpoena previously issued to you in this matter on October 9, 1984 is still in effect, and your appearance at the December 12th hearing is required.

Sincerely,

Albert Gore, Jr.

Albert Gore, Jr.
Chairman
Subcommittee on Investigations
and Oversight

AG/Ntk

DON FUQUA (Fla.) Chairman

ROBERT A ROE N J
GEORGE E BROWN JR CALIF
JAMES H SCHEUER N Y
RICHARD L OTTINGER N Y
TOM HARKIN IOWA
MARILYN LLOYD TENN
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U.S. HOUSE OF REPRESENTATIVES
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WASHINGTON, D.C. 20515
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TOM LEWIS FLA

J H POORE
Executive Director
ROBERT C KETCHAM
General Counsel
DAVID S JEFFERY
Minority Staff Director

October 23, 1984

CERTIFIED MAIL

Mr. John Smith
Triton Corporation
1255 23rd Street, NW
Suite 275
Washington, D.C. 20037

Dear Mr. Smith:

As you have been advised, the Subcommittee's hearing scheduled for October 24, 1984 has been delayed until December 12, 1984. The hearing will begin at 10:00 a.m. in Room 2318 of the Rayburn House Office Building.

Please be further advised that the subpoena previously issued to you in this matter on October 9, 1984 is still in effect, and your appearance at the December 12th hearing is required.

Sincerely,

Albert Gore, Jr.

Albert Gore, Jr.
Chairman
Subcommittee on Investigations
and Oversight

AG/Ntk

DON FUQUA (Fla.) Chairman

ROBERT A ROE N J
GEORGE E BROWN JR CALIF
JAMES H SCHEUER N Y
RICHARD L OTTINGER N Y
TOM HARKIN IOWA
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TOM LEWIS FLA

J H POORE
Executive Director
ROBERT C KETCHAM
General Counsel
DAVID S JEFFERY
Minority Staff Director

October 23, 1984

CERTIFIED MAIL

Mr. Richard Salvatierra
Triton Corporation
1255 23rd Street, NW
Suite 275
Washington, D.C. 20037

Dear Mr. Salvatierra:

As you have been advised, the Subcommittee's hearing scheduled for October 24, 1984 has been delayed until December 12, 1984. The hearing will begin at 10:00 a.m. in Room 2318 of the Rayburn House Office Building.

Please be further advised that the subpoena previously issued to you in this matter on October 9, 1984 is still in effect, and your appearance at the December 12th hearing is required.

Sincerely,

Albert Gore, Jr.

Albert Gore, Jr.
Chairman
Subcommittee on Investigations
and Oversight

AG/Ntk

DON FUQUA (Fla) Chairman

ROBERT A ROE N J
GEORGE E BROWN JR CALIF
JAMES H SCHEUER N Y
RICHARD L OTTINGER N Y
TOM HARKIN IOWA
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TOM LEWIS FLA

J H POORE
Executive Director
ROBERT C KETCHAM
General Counsel
DAVID S JEFFERY
Minority Staff Director

October 23, 1984

CERTIFIED MAIL

Mr. Ron Eberhardt
Federal Emergency Management Agency
Federal Center Plaza
500 C Street, SW
Washington, D.C. 20472

Dear Mr. Eberhardt:

As you have been advised, the Subcommittee's hearing scheduled for October 24, 1984 has been delayed until December 12, 1984. The hearing will begin at 10:00 a.m. in Room 2318 of the Rayburn House Office Building.

Please be further advised that the subpoena previously issued to you in this matter on October 9, 1984 is still in effect, and your appearance at the December 12th hearing is required.

Sincerely,

Albert Gore, Jr.

Albert Gore, Jr.
Chairman
Subcommittee on Investigations
and Oversight

AG/Ntk

DON FUQUA (Fla.) Chairman

ROBERT A ROE N J
GEORGE E BROWN JR CALIF
JAMES H SCHEUER N Y
RICHARD L OTTINGER N Y
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U.S. HOUSE OF REPRESENTATIVES
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J H POORE
Executive Director
ROBERT C KETCHAM
General Counsel
DAVID S JEFFERY
Minority Staff Director

October 23, 1984

CERTIFIED MAIL

Mr. George Jett
Federal Emergency Management Agency
Federal Center Plaza
500 C Street, SW
Washington, D.C. 20472

Dear Mr. Jett:

As you have been advised, the Subcommittee's hearing scheduled for October 24, 1984 has been delayed until December 12, 1984. The hearing will begin at 10:00 a.m. in Room 2318 of the Rayburn House Office Building.

Please be further advised that the subpoena previously issued to you in this matter on October 9, 1984 is still in effect, and your appearance at the December 12th hearing is required.

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October 23, 1984

CERTIFIED MAIL

Mr. Frank Payne
Federal Emergency Management Agency
Federal Center Plaza
500 C Street, SW
Washington, D.C. 20472

Dear Mr. Payne:

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October 23, 1984

CERTIFIED MAIL

Mr. Robert Goffus
Federal Emergency Management Agency
Federal Center Plaza
500 C Street, SW
Washington, D.C. 20472

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October 23, 1984

CERTIFIED MAIL

Mr. Gerald Martin
Federal Emergency Management Agency
Federal Center Plaza
500 C Street, SW
Washington, D.C. 20472

Dear Mr. Martin:

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October 23, 1984

CERTIFIED MAIL

Mr. Robert Morris
Federal Emergency Management Agency
Federal Center Plaza
500 C Street, SW
Washington, D.C. 20472

Dear Mr. Morris:

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Mr. **Gore**. Now, before calling our first panel of witnesses, I would like to recognize—do you have anything to say?

Let me call now the first panel of witnesses. Dr. Charles Turner, a FEMA employee; Mr. Jim Coyle, FEMA employee; Mr. Warren Rucker, FEMA employee; Ms. Patricia English, FEMA employee; Mr. Steve Goodman, former FEMA employee; and Ms. Anita Koppel, former Triton employee. If the six of you would come forward to the witness table, please, we'll begin the first panel.

Let me ask the indulgence of this panel. We're going to take a very brief recess at this point for approximately half an hour. I'm going to direct the staff, in an effort to avoid a further confrontation with the witnesses who have not appeared here, I'm going to direct the staff during the half-hour recess to call them on the telephone and attempt once again to get them to appear here at this hearing today. We will come back into session in half an hour and at that time, we will proceed with the questioning of this panel.

The subcommittee will stand in recess.

[Recess.]

Mr. **Gore**. The subcommittee will come back to order.

First of all, I'd like to note for the record that as the hearing began, I said without objection this hearing will proceed. No Member of Congress has raised any point of order and this hearing was duly noticed. It is a legal hearing; the record will so reflect and anyone who has advised any witnesses to the contrary has given poor advice.

Now, let me begin by asking each member of this panel to identify yourself to the reporter and we'll go from your right to your left.

Ms. **Koppel**. My name is Anita Koppel.

Mr. **Goodman**. Steve Goodman.

Ms. **English**. Patricia English.

Mr. **Rucker**. Warren Rucker.

Mr. **Coyle**. James Coyle.

Mr. **Turner**. Charles Turner.

Mr. **Gore**. Now, I'd like to ask if any of you have objections to being sworn. If not, if you would stand and raise your right hand.

Do you solemnly swear the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Ms. **Koppel**. I do.

Mr. **Goodman**. I do.

Ms. **English**. I do.

Mr. **Rucker**. I do.

Mr. **Coyle**. I do.

Mr. **Turner**. I do.

[Witnesses sworn.]

TESTIMONIES OF CHARLES TURNER, FEMA EMPLOYEE; JIM COYLE, FEMA EMPLOYEE; WARREN RUCKER, FEMA EMPLOYEE; PATRICIA ENGLISH, FEMA EMPLOYEE; STEVE GOODMAN, FORMER FEMA EMPLOYEE; AND ANITA KOPPEL, FORMER TRITON EMPLOYEE

Mr. **Gore**. All right, thank you.

Now, it is my understanding that all of you are here in response to subpoenas issued by the subcommittee; is that correct?

It is my further understanding that none of you has an opening statement; am I correct in that? Does anyone wish to make an opening statement? All right, we will proceed with questions, then.

Mr. **Turner**. Congressman Gore, I have a couple of words I'd like to say if it's——

Mr. **Gore**. Sure. Charles Turner.

Mr. **Turner**. That's correct, Charles Turner.

I was summoned to a meeting this morning at 8:30, along with the other FEMA employees who are present here for the purpose of discussing the meeting this morning. We were told of the rule XI issue which has been raised here this morning, and that in the opinion of FEMA's general counsel, who was—the meeting that would be held here today would not be a legal meeting because of the absence of the minority membership and that if, in fact, a meeting did proceed, it would be an informal and unofficial meeting and anything that we said, in response to questions or otherwise, would be voluntary and not in response to a subpoena.

I guess I just want to go on the record as saying that I don't subscribe to that and will be happy to answer any questions.

Mr. **Gore**. Did you see that as pressure from your superiors to get you not to testify here today?

Mr. **Turner**. I saw that as an opportunity for the general counsel to share with us some of his thinking and opinion about the proceedings this morning. And I think each and every one of us who were in attendance at the meeting were told without equivocation that it was our decision——

Mr. **Gore**. Yeah.

Mr. **Turner** [continuing]. As to whether or not we wanted to respond to the subpoena. When asked if we chose not to respond to the subpoena, would we be cited for contempt, the response was, "Of course, I don't know. I can't assure that that would not happen."

When asked if that did happen if we would be represented by FEMA counsel, the response was, "No."

Mr. **Gore**. Was what?

Mr. **Turner**. No.

Mr. **Gore**. Well, the FEMA counsel has himself been cited for contempt this morning, and of course that action is by the Chair of the subcommittee and must be reviewed and acted upon by the full committee and the Congress before it has all of the legal implications that a contempt citation can have. But I appreciate your statement and your presence here and I appreciate all of you coming in response to these subpoenas.

I know it's difficult and many people in both political parties pay a lot of lipservice to the extreme value of having Government employees who are willing to tell the truth in response to questions, even when that might prove a little uncomfortable for those in charge of the policy at the——

Mr. **Glickman**. Mr. Chairman——

Mr. **Gore** [continuing]. Time or embarrassing to the agency. And that is something that we have a great deal of respect for.

Yes.

Mr. **Glickman**. May I just make one comment. I am not on your subcommittee, although I will be on the full Science Committee next year. During the interim recess, I tried to inquire about, in the event that the full Science Committee is not able to take any action this year on the subpoena, what would be the legal effect next year. I just wanted to assure you that I will do my best to ensure that next year this issue is raised early in the session because as I read the memo developed by the staff, there are some very serious allegations made here. And I don't want the implication to any of these witnesses be left that because you're moving to the other body, this investigation will be dropped as part of the Science Committee investigation.

So I thought that needed to be stated for the record.

Mr. **Gore**. Well, I appreciate that very much and, of course, next year is just 3 weeks away. We're not talking about a long period of time.

And as a Member of the other body, I don't know yet whether I will be a member of the committee there that has jurisdiction over FEMA, but that could be so. In any event, I will continue my personal interest, and I appreciate yours.

Other members of the full Science and Technology Committee have said similar things, and as I noted earlier, Chairman John Dingell of the Commerce Committee has expressed his interest in joining with this committee in 3 weeks, or next year, to pursue this matter in even more depth.

Now, let's get into some questions here. Let me begin with you, Dr. Turner. In May of this year, 1984, were you given any instructions by Mr. Frank Payne, special assistant to Director Giuffrida, concerning some unsolicited proposals from the Analytical Systems Engineering Corp.?

Mr. **Turner**. Yes.

Mr. **Gore**. What were those instructions? To technically evaluate the proposals?

Mr. **Turner**. Yes, the instructions—well, I was summoned to Mr. Payne's office on the morning of May 10 by Mr. John Collins who indicated Mr. Payne had a task for me. I went to Mr. Payne's office. Mr. Collins and Mr. Payne were there and we waited a few minutes. Nothing happened.

It was obvious that we were waiting for someone else. I asked who we were waiting for and was told that Mr. Coyle would be joining us. Then shortly, he did. When he arrived, Mr. Payne came over and sat down at the table where we were sitting and he had three proposals in his hand from Analytical Systems, Inc., of Arlington. He gave two to Mr. Coyle and one to me and then he said that the Director wanted technical reviews written for these, sole-source justifications and 40-1's completed, which is a requisition for services and supplies, and he had to have that back downtown by COB the next day, Friday.

Mr. Coyle looked at the two that he had, indicated he thought one of them probably was not one that he should look at, but one that I should look at, so it was returned to me. We were sitting there kind of amazed at what was said and Mr. Coyle asked Mr. Payne, he said, "Do you mean that we are to approve these proposals regardless of their merit," and Mr. Payne said, "That's correct."

We just sat there for a few minutes discussing the proposals and then Mr. Payne said that in light of the fact that he had to have this information back down in Washington by COB the next day, that he would like for us to meet again that afternoon at 4 o'clock to share with him the progress we were making in this effort.

Mr. GORE. So, in other words, you were told by Mr. Payne that these unsolicited proposals were to be approved. Is that essentially it?

Mr. TURNER. That's correct.

Mr. GORE. I'm going to ask the staff to provide you a copy of these proposals and ask you whether or not these are the proposals in question. One of them is entitled, "Student Information Management Systems."

Mr. TURNER. Yes, that's correct. This is the right proposal.

Mr. GORE. Well, now, isn't this a rather unusual way to treat an unsolicited proposal, to call the evaluator in and just direct him to approve them?

Mr. TURNER. Well, it's inconsistent with the way that I thought it was supposed to be done.

Mr. GORE. Yeah. Is there also something unusual about this proposal to computerize the student information system?

Mr. TURNER. Well, yes. I did review the proposals. I was concerned about approving them without consideration for their merit. In preparation for the 4 o'clock meeting that afternoon, I went back to my office and, upon arriving at the office, I spoke to my supervisor and expressed my concern about what I'd been asked to do.

Then I reviewed the proposals, made a few notes for the 4 o'clock meeting, and in reviewing the proposal, I noted that both of them were in the sum of approximately $60,000 apiece. I think the three totaled were about $200,000.

I noticed one in particular that I'm looking at here which was a proposal entitled "Student Information Management System." Perhaps the better way to tell you how I felt about the proposal would just be to read this memorandum that I prepared for Mr. Payne's signature.

Mr. GORE. All right.

Mr. TURNER. It probably states it as quickly and as well as I could state it today.

> The subject unsolicited proposal has been reviewed and is returned with a recommendation that it not be approved.
>
> The proposal was apparently prepared with little or no knowledge of the student information management system currently in place at the National Emergency Training Center. Reference is made to the current system as being a manual system, when in fact, student information has been computerized for several years.
>
> The proposal would essentially duplicate the present system of software that has been developed very carefully over several years using FEMA's in-house computer programming capability.
>
> A noncompetitive procurement of the services of Analytical Systems Engineering Corp. to perform the work in this proposal cannot be sustained as any number of systems engineering firms could perform the same work with equally predictable results.

I went back to the 4 o'clock meeting that afternoon with my notes, after having reviewed the two proposals. At that meeting were myself, Mr. Ed Wall, Mr. Duane Murray, Mr. Bruce Marshall, and Mr. Payne. Mr. Collins may have been present, although I'm not certain of that. He asked me and Mr. Wall who is Mr. Coyle's supervisor, if we'd had a chance to look at them and what our thinking was at that point. I shared with Mr. Payne essentially what I've said here.

Mr. GORE. Well, just to recap, one of the things that you said was that it didn't make a lot of sense to spend all this money to computerize the student information because it had already been computerized for several years.

Mr. TURNER. That's correct.

Mr. GORE. And this unsolicited proposal that you were ordered to approve would have been a complete waste of taxpayers' money.

Mr. TURNER. In my opinion, it would have been a duplication of services.

Mr. GORE. That's a more value-neutral way of stating it, but I think it would have been a waste as well. But you're doing fine talking the way you talk. [Laughter.]

Mr. GORE. Now, did you comply with Mr. Payne's orders?

Mr. TURNER. No, I did not. Well, let me rephrase that. I did return to the 4 o'clock meeting. I had expressed, as I indicated earlier, my concern to my supervisor and, you know, I said I really have no problem in reviewing these proposals and will be happy to write a technical review and a sole-source justification, you know, if the sole-source justification can be warranted. But it was my opinion that the technical review should be written calling it as it is, if you will.

So anyway, at our 4 o'clock meeting, I shared that with Mr. Payne and he was sitting at the table next to me and he did not say anything, did not respond. And he asked Mr. Wall what response they had to the other proposal, and Mr. Wall shared with him essentially the same kind of information.

Again, Mr. Payne did not say anything. Instead, he got up and walked around to his desk and he picked up the phone and he placed a call to Mr. Ron Face in the Director's office. We did not know who he was calling, but he was on the speaker telephone and when Ron came on, we all recognized his voice.

And he said to Mr. Face, he said, "I understand what my orders are." But he said, "I think there's something that you need to hear." Then he turned to me and asked me to repeat to Mr. Face essentially what I had said, and he also asked Mr. Wall to say the same thing to Mr. Face.

When we completed describing proposals, Mr. Payne then said, "You know, in spite—I know what my orders are and in spite of that, I think that it might be worth revisiting this and reconsidering these orders." And Mr. Face said, "I'll have to get back with you in the morning." And then the telephone conversation was ended like that.

So the instruction that we got from Mr. Payne at that point was, "Don't do anything further from here; we'll be in touch with you in the morning and tell you what to do."

The next morning I did receive a call from Mr. Payne's office indicating that I should go ahead and do the technical review. We'd call it like it was.

Mr. **Gore**. Now, Mr. Face was the assistant to Mr. Giuffrida; is that correct?

Mr. **Turner**. That's my understanding, yes.

Mr. **Gore**. Well, that would give me the impression that Mr. Giuffrida had directed the approval of this unsolicited proposal for redundant work without following the normal procedures.

Mr. Coyle, did you have an experience similar to that of Dr. Turner involving the same company, Analytical Systems Engineering Corp.

Mr. **Coyle**. Yes. Basically everything that Charlie has said is true from my point of view.

Mr. **Gore**. So you also were asked to look at an unsolicited proposal from the same company and ordered to approve it. Is that correct?

Mr. **Coyle**. That's correct.

Mr. **Gore**. This was a different proposal, wasn't it?

Mr. **Coyle**. Yes, there were three proposals. Two were initially given to me and then subsequently we agreed that one was not appropriate for the Fire Administration to review.

Mr. **Gore**. I see.

Mr. **Coyle**. So we ended up reviewing one proposal.

Mr. **Gore**. Now, did you have any contact with any personnel from the company prior to the day that you were ordered to approve their unsolicited proposal?

Mr. **Coyle**. Not with respect to these proposals, no.

Mr. **Gore**. All right, we're going to come back to that.

Without objection, we will include in the record the documents reflecting the unsolicited proposals in question here.

[The information follows:]

NETC READING
PA CENTRAL
RE CENTRAL
RE CHRON
TFP:PA:RE: CTURNER:dlw: 5/11/84

MEMORANDUM FOR: Joseph A. Pegnato, Chief
Policy and Evaluation Division
Office of Acquisition Management

FROM: Frank E. Payne
Deputy Associate Director
Training and Fire Programs
Directorate

SUBJECT: FEMA 84/53 - Student Information Management Systems

The subject unsolicited proposal has been reviewed and is returned with a recommendation that it not be approved.

The proposal was apparently prepared with little or no knowledge of the student information management system currently in place at the National Emergency Training Center. Reference is made to the current system as being a manual system, when in fact, student information has been computerized for several years.

The proposal would essentially duplicate the present system of software that has been developed very carefully over several years using FEMA's in-house computer programming capability.

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Federal Emergency Management Agency
Washington, D.C. 20472

MAY - 8 1984

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MEMORANDUM FOR: Associate Director
Training & Fire Programs
ATTN: Vic Buyny

FROM: Joseph A. Pegnato, Chief
Policy & Evaluation Division
Office of Acquisition Management

SUBJECT: FEMA 84/53 - Student Information Management Systems

In accordance with FEMAPR 41 CFR 44-4.909, please review the attached proposal and provide us with a written response addressing its merits and weaknesses and a recommendation on funding the concept. If you wish to fund the proposal, ensure that the proposal and related cost data are attached to your funded requisition (FEMA Form 40-1) and also provide in your justification for noncompetitive procurement the unique characteristics of the idea or organization that makes the offeror the only firm capable of performing.

Your reply is requested by June 8, 1984. Any questions may be referred to Charles Bridges at 287-3822.

Attachment

ASEC

ASECP: 84-03-307R

PROPOSAL TO DEVELOP A STUDENT INFORMATION MANAGEMENT SYSTEM FOR THE TRAINING AND FIRE PROGRAMS DIRECTORATE OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY

VOLUME I - TECHNICAL PROPOSAL

23 March 1984

THIS DATA FURNISHED IN CONNECTION WITH THIS PROPOSAL SHALL NOT BE DISCLOSED OUTSIDE THE GOVERNMENT AND SHALL NOT BE DUPLICATED, USED, OR DISCLOSED IN WHOLE OR IN PART FOR ANY PURPOSE OTHER THAN TO EVALUATE THE PROPOSAL: PROVIDED, THAT IF A CONTRACT IS AWARDED TO THE OFFEROR AS A RESULT OF OR IN CONNECTION WITH THE SUBMISSION OF THIS DATA THE GOVERNMENT SHALL HAVE THE RIGHT TO DUPLICATE, USE, OR DISCLOSE THE DATA TO THE EXTENT PROVIDED IN THE CONTRACT. THIS RESTRICTION DOES NOT LIMIT THE GOVERNMENT'S RIGHTS TO USE INFORMATION CONTAINED IN THE DATA IF IT IS OBTAINED FROM ANOTHER SOURCE WITHOUT RESTRICTION. THE DATA SUBJECT TO THIS RESTRICTION IS CONTAINED IN ALL SHEETS.

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ANALYTICAL SYSTEMS ENGINEERING CORPORATION
1725 JEFFERSON DAVIS HIGHWAY • SUITE 212 • ARLINGTON, VIRGINIA 22202 • TEL. (703) 892-6000
OLD CONCORD ROAD • BURLINGTON, MASSACHUSETTS 01803 • TEL. (617) 272-7910 • TELEX 949359

ASECP-84-03-307

PROPOSAL TO DEVELOP A STUDENT INFORMATION MANAGEMENT SYSTEM FOR THE TRAINING AND FIRE PROGRAMS DIRECTORATE OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY

VOLUME II - COST, FINANCIAL AND CONTRACTUAL DATA

23 March 1984

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Proposal to Develop a Student Information Management System for the Training and Fire Programs Directorate of the Federal Emergency Management Agency

Task 1 - Describe current system and identify requirements

Task 2 - Develop general system design

Task 3 - Develop detailed system design

- identify and describe software modules
- develop screen and management report formats
- design data base

Task 4 - Develop software

- generate pseudocode
- generate source code

Task 5 - Conduct software testing

- prepare test plan
- evaluate test plan
- conduct tests

Task 6 - Prepare documentation

Task 7 - Prepare and conduct training classes

- develop training plan
- conduct training classes

Task 8 - Establish Data Base Maintenance Procedures

NETC READING
PA CENTRAL
RE CENTRAL
RE CHRON
TFP:PA:RE: CTURNER:dlw: 5/11/84

MEMORANDUM FOR: Joseph A. Pegnato, Chief
Policy and Evaluation Division
Office of Acquisition Management

FROM: Frank E. Payne
Deputy Associate Director
Training and Fire Programs
Directorate

SUBJECT: FEMA 84/72,- Management Information Systems Analysis
for the Training and Fire Programs Directorate

The subject unsolicited proposal has been reviewed and is returned with a recommendation that it not be approved.

The proposal offers to examine the Directorate's current management information systems, define management's requirements, correlate these requirements with current practices, and recommend corrective actions. FEMA presently has the in-house capability to perform all of these tasks. Additionally, if this work were to be done by a contractor, a noncompetitive procurement of the services of Analytical Systems Engineering Corporation to perform the work in this proposal cannot be sustained, as any number of systems engineering firms could perform the same work with equally predictable results.

Federal Emergency Management Agency
Washington, D.C. 20472

MAY - 8 1984

MEMORANDUM FOR: Associate Director
Training & Fire Programs
ATTN: Vic Buyny

FROM: Joseph A. Pegnato, Chief
Planning & Support Division
Office of Acquisition Management

SUBJECT: FEMA 84/72 - Management Information Systems Analysis for the ~~U.S. Fire Administration~~ TFPD

In accordance with FEMAPR 41 CFR 44-4.909, please review the attached proposal and provide us with a written response addressing its merits and weaknesses and a recommendation on funding the concept. If you wish to fund the proposal, ensure that the proposal and related cost data are attached to your funded requisition (FEMA Form 40-1) and also provide in your justification for noncompetitive procurement the unique characteristics of the idea or organization that makes the offeror the only firm capable of performing.

Your response is requested by June 8, 1984. Any questions concerning this matter may be referred to Charles Bridges at 287-3822.

ASEC

ASECP: 84-03-308

PROPOSAL TO CONDUCT MANAGEMENT INFORMATION SYSTEM ANALYSES FOR THE TRAINING AND FIRE PROGRAMS DIRECTORATE OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY

VOLUME I - TECHNICAL PROPOSAL

MARCH 29, 1984

THIS DATA FURNISHED IN CONNECTION WITH THIS PROPOSAL SHALL NOT BE DISCLOSED OUTSIDE THE GOVERNMENT AND SHALL NOT BE DUPLICATED, USED, OR DISCLOSED IN WHOLE OR IN PART FOR ANY PURPOSE OTHER THAN TO EVALUATE THE PROPOSAL: PROVIDED, THAT IF A CONTRACT IS AWARDED TO THE OFFEROR AS A RESULT OF OR IN CONNECTION WITH THE SUBMISSION OF THIS DATA THE GOVERNMENT SHALL HAVE THE RIGHT TO DUPLICATE, USE, OR DISCLOSE THE DATA TO THE EXTENT PROVIDED IN THE CONTRACT. THIS RESTRICTION DOES NOT LIMIT THE GOVERNMENT'S RIGHTS TO USE INFORMATION CONTAINED IN THE DATA IF IT IS OBTAINED FROM ANOTHER SOURCE WITHOUT RESTRICTION. THE DATA SUBJECT TO THIS RESTRICTION IS CONTAINED IN ALL SHEETS.

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ASECP-84-03-308

PROPOSAL TO CONDUCT MANAGEMENT INFORMATION SYSTEM ANALYSES FOR THE TRAINING AND FIRE PROGRAMS DIRECTORATE OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY

VOLUME II - COST, FINANCIAL AND CONTRACTUAL DATA

29 March 1984

THIS DATA FURNISHED IN CONNECTION WITH THIS PROPOSAL SHALL NOT BE DISCLOSED OUTSIDE THE GOVERNMENT AND SHALL NOT BE DUPLICATED, USED, OR DISCLOSED IN WHOLE OR IN PART FOR ANY PURPOSE OTHER THAN TO EVALUATE THE PROPOSAL: PROVIDED, THAT IF A CONTRACT IS AWARDED TO THE OFFEROR AS A RESULT OF OR IN CONNECTION WITH THE SUBMISSION OF THIS DATA THE GOVERNMENT SHALL HAVE THE RIGHT TO DUPLICATE, USE, OR DISCLOSE THE DATA TO THE EXTENT PROVIDED IN THE CONTRACT. THIS RESTRICTION DOES NOT LIMIT THE GOVERNMENT'S RIGHTS TO USE INFORMATION CONTAINED IN THE DATA IF IT IS OBTAINED FROM ANOTHER SOURCE WITHOUT RESTRICTION. THE DATA SUBJECT TO THIS RESTRICTION IS CONTAINED IN ALL SHEETS.

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Proposal to Conduct Management Information System Analyses for the Training and Fire Programs Directorate of the Federal Emergency Management Agency

Task 1 - Examine the current management information system

Task 2 - Define management's requirements for a management information system

Task 3 - Correlate current management information practices and the Directorate's requirements

Task 4 - Recommend corrective actions

Mr. GORE. Now, Mr. Rucker, you were the project officer on the Triton contract until the end of 1983; were you not?

Mr. RUCKER. Yes, sir, I was.

Mr. GORE. Did you ever question any of the expenses submitted by the Triton Co?

Mr. RUCKER. Yes, sir, I did.

Mr. GORE. Now, on October 17, 1983, you were given a personnel rating of exceptional in two categories. In November 1983, you wrote a memorandum questioning the expenses of the Triton Corp. and then 3 weeks later, your performance rating was severely downgraded; is that correct?

Mr. RUCKER. Yes, sir, that's correct.

Mr. GORE. Without objection, I would like to put the documents in the record reflecting this fact.

[The information follows:]

FEDERAL EMERGENCY MANAGEMENT AGENCY

(short)

ANNUAL SUMMARY RATING

Attachment #5

This form will be used for the FEMA performance planning and appraisal system. It should be completed for all applicable FEMA employees at the end of the performance rating period. The final summary rating is based on the employee's overall progress during the appraisal period.

1. NAME OF EMPLOYEE Warren P. Rucker	2. SSN 223-36-2899
3. POSITION TITLE AND NUMBER Senior Education Specialist 1780	4. SERIES AND GRADE 301-14
5. AGENCY ORGANIZATION AND DUTY STATION FEMA/NETC/EMI Emmitsburg, Maryland	6. RATING PERIOD From: 06-83 To: 09-83

7. PAY CATEGORY *(Check appropriate box)* ☒ GM ☐ GS ☐ WAGE SYSTEM

8. CRITICAL ELEMENTS	10. ELEMENT RATING O	E	M	F	X
a. Manages Exec. Prog. Curr.			X		
b. Guides ISMS integration in Exec. Progs		X			
c.					
d.					
e.					
9. REQUIRED ELEMENTS					
a. Course manager supervision		X			
b.					
c.					
d.					
e.					

11. SUMMARY RATING *(Check appropriate box)*

☐ OUTSTANDING ☒ EXCEPTIONAL ☐ FULLY SUCCESSFUL ☐ MINIMALLY SATISFACTORY ☐ UNSATISFACTORY

☐ UNABLE TO RATE *(Explain in remarks)*

12. REMARKS

Mr Rucker's achievements are particularly noteworthy given the many changes in scope and responsibility over recent months of the Division under his responsibility.

13. REVIEWS

All areas of this form should be thoroughly discussed between the employee and the immediate supervisor.
The employee's social security number is requested on this form for record retrieval and pay administration purposes.

RATING OFFICIAL *(Title and signature)* Superintendent, Emergency Management Institute	DATE 10/7/83
EMPLOYEE *(Signature)* Warren P. Rucker	DATE 7 Oct 83
REVIEWING OFFICIAL *(Title and signature)* Associate Director Training and Fire Programs	DATE 10/17/83

FEMA Form 30-13, MAY 83 REPLACES EDITION OF FEB 81 WHICH WILL NOT BE USED.

NOV 3 1983

MEMORANDUM FOR: J. C. Kellett, Jr., Superintendent
Emergency Management Institute

FROM: Warren P. Rucker, Project Officer
Emergency Management Institute

SUBJECT: Vouchers for Payment of Triton Contract (FEMA/2 #1 and FEMA 13)

Attached are copies of the subject vouchers which were submitted to me today for my certification. As my signature indicates, I certified both vouchers correct and proper for payment.

Though hesitant, I felt my certification to be in the best interest of the Center and its programs.

Points:

(+) o Our track record with Triton Corporation for "dollars-well-spent" is a good one.

(+) o The arithmetic and hours appear sound.

(+) o Work under the Task Orders with which I'm closely involved appears on-target and acceptable.

(-) o The Task Orders, actual work performed, and invoices are difficult to track.

(-) o Much of the work appears more service-oriented than end-product-oriented. (I need to account for hours more than evaluate deliverables.)

(-) o My other duties severely limit the time I'm able to spend monitoring the contract.

Standard Form 1034
September 1973
4 Treasury FRM 2000
1034-115

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

VOUCHER NO. FEMA/2 #1

SCHEDULE NO. #397

PAID BY

U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION

Federal Emergency Management Agency
Office of the Comptroller
Accounting Division
Washington D.C. 20472

DATE VOUCHER PREPARED: October 31, 1933

CONTRACT NUMBER AND DATE: EMW-83-C-1227

REQUISITION NUMBER AND DATE:

PAYEE'S NAME AND ADDRESS

TRITON Corporation
1825 Connecticut Avenue
Suite 408
Washington D.C. 20009

DATE INVOICE RECEIVED

DISCOUNT TERMS

PAYEE'S ACCOUNT NUMBER

SHIPPED FROM | TO | WEIGHT

GOVERNMENT B/L NUMBER

NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)	QUANTITY	UNIT PRICE COST	UNIT PRICE PER	AMOUNT
	10/1/83 to 10/31/83	For services rendered under the above referenced contract. The Undersigned hereby certifies that payment of the sum claimed under the above cited contract is for appropriate purposes and is in accordance with the agreements of the contract. Richard D. Salvatierra Richard D. Salvatierra, President.				$ 66,242.38

(Use continuation sheet(s) if necessary) (Payee must NOT use the space below) TOTAL $ 66,242.38

PAYMENT:
☐ COMPLETE
☐ PARTIAL
☐ FINAL
☐ PROGRESS
☐ ADVANCE

APPROVED FOR =$

EXCHANGE RATE =$1.00

DIFFERENCES

BY [2]

TITLE

Amount verified; correct for

(Signature or initials)

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.

(Date) (Authorized Certifying Officer) [2] (Title)

ACCOUNTING CLASSIFICATION

I certify that the services described have been provided and payment is recommended.

Warren P. Rucker 11-5-83
Warren P. Rucker, Project Officer (Date)

PAID BY

CHECK NUMBER ON TREASURER OF THE UNITED STATES

CHECK NUMBER ON (Name of bank)

CASH $

DATE

PAYEE [3]

PER

TITLE

---

[1] When stated in foreign currency, insert name of currency.

[2] If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the space provided, over his official title.

[3] When a voucher is receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per [illegible]" or "Treasurer" as the case may be.

Standard Form 1034
September 1973
4 Treasury FRM 2000
1034-115

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

VOUCHER NO. FEMA 13

U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION

Federal Emergency Management Agency
Aquisition Management Division
Room 723
Washington D.C. 20472

DATE VOUCHER PREPARED October 31, 1983

SCHEDULE NO. #755

CONTRACT NUMBER AND DATE EMW-C-0091

REQUISITION NUMBER AND DATE

PAID BY

PAYEE'S NAME AND ADDRESS

TRITON Corporation
ASSIGNEE:
United Virginia Bank
515 King Street
Alexandria VA 22313

Acct # 021 30 098

DATE INVOICE RECEIVED

DISCOUNT TERMS

PAYEE'S ACCOUNT NUMBER

SHIPPED FROM TO WEIGHT

GOVERNMENT B/L NUMBER

NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES *(Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)*	QUANTITY	UNIT PRICE COST	UNIT PRICE PER	AMOUNT
	10/1/83 to 10/31/83	For services rendered under the above referenced contract. The Undersigned hereby certifies that payment of the sum claimed under the above cited contract is for appropriate purposes and is in accordance with the agreements of the contract. Richard D. Salvatierra Richard D. Salvatierra, President				$ 40,011.

(Use continuation sheet(s) if necessary) **(Payee must NOT use the space below)** TOTAL $ 40,011.

PAYMENT:
☐ COMPLETE
☐ PARTIAL
☐ FINAL
☐ PROGRESS
☐ ADVANCE

APPROVED FOR = $

EXCHANGE RATE = $1.00

DIFFERENCES

BY [2]

TITLE

Amount verified; correct for

(Signature or initials)

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.

(Date) *(Authorized Certifying Officer)* [2] *(Title)*

ACCOUNTING CLASSIFICATION

I certify that the services described have been provided and payment is recommended.

Warren P. Rucker 11-3-83
Warren P. Rucker, Project Officer (Date)

PAID BY

CHECK NUMBER ON TREASURER OF THE UNITED STATES

CHECK NUMBER ON *(Name of bank)*

CASH $

DATE

PAYEE [3]

PER

TITLE

---

[1] When stated in foreign currency, insert name of currency.

[2] If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the space provided, over his official title.

[3] When a voucher is receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per [illegible]" or "Treasurer", as the case may be.

[illegible]

FEDERAL EMERGENCY MANAGEMENT AGENCY
ANNUAL SUMMARY RATING

This form will be used for the FEMA performance planning and appraisal system. It should be completed for all applicable FEMA employees at the end of the performance rating period. The final summary rating is based on the employee's overall progress during the appraisal period.

1. NAME OF EMPLOYEE WARREN P. RUCKER	2. SSN 223-36-2899	
3. POSITION TITLE AND NUMBER SENIOR EDUCATION SPECIALIST 1780	4. SERIES AND GRADE 301-14	
5. AGENCY ORGANIZATION AND DUTY STATION FEMA/NETC/EMI	6. RATING PERIOD From: 06-83	To: 09-83

7. PAY CATEGORY *(Check appropriate box)*

☒ GM ☐ GS ☐ WAGE SYSTEM

8. CRITICAL ELEMENTS	10. ELEMENT RATING O	E	M	F	X
1. a. Manages EMI's Executive Programs Curriculum					X
b.					
2. c. Provides leadership and direction for achieving IEMS goals through the Executive Programs curriculum.					X
d.					
e.					
9. REQUIRED ELEMENTS					
1. a. Course Manager Supervision					X
b.					
c.					
d.					
e.					

11. SUMMARY RATING *(Check appropriate box)*

☐ OUTSTANDING ☐ EXCEPTIONAL ☐ FULLY SUCCESSFUL ☐ MINIMALLY SATISFACTORY ☐ UNSATISFACTORY

☑ UNABLE TO RATE *(Explain in remarks)*

12. REMARKS

Was not under a valid performance plan for the minimum 90 day period required by FEMA for rating performance.

My signature below does not indicate agreement with this "non-rating." WPR

13. REVIEWS

All areas of this form should be thoroughly discussed between the employee and the immediate supervisor.
The employee's social security number is requested on this form for record retrieval and pay administration purposes.

RATING OFFICIAL *(Title and signature)*	DATE 11/25/83
EMPLOYEE *(Signature)* Warren P. Rucker	DATE 28 Nov 83.
REVIEWING OFFICIAL *(Title and signature)*	DATE 11-25-83

Mr. **Gore**. Isn't it also true that sometime around the end of November, shortly after the downgrading of your performance rating, you were removed as the project officer for the Triton contract?

Mr. **Rucker**. Yes, sir. It occurred a bit later. It was in December, after I had had another encounter regarding the contract.

Mr. **Gore**. That would give me the impression that someone who was close to Triton within FEMA, and who wanted to see their expenses routinely approved, exercised retribution against you for not going along with the program. Is that the way you felt about it?

Mr. **Rucker**. Yes, sir, I did feel that way. My pocketbook felt that way, I suppose.

Mr. **Gore**. Because the downgrading of your performance evaluation affected the amount of pay that you got; is that right?

Mr. **Rucker**. Yes, sir, not only for that year, but into the future and into my retirement, to my and my wife's annuity, perhaps.

Mr. **Gore**. So you were punished for trying to save the taxpayers money because the higher ups at FEMA didn't like you questioning Triton's expense.

Now, some of these expenses really should have been questioned, it seemed to me. We found a new one since that last meeting of this subcommittee; we found several. We've also subpoenaed documents regarding several others that the FEMA officials are refusing to comply with.

But we found a very interesting one on this Triton contract where it appears as though they have made contributions to the American Conservative Union and Young Americans for Freedom in a dinner saluting the President where the President came and spoke. It's called America Is Back. The Young Americans for Freedom and the American Conservative Union got this money from the Triton Corp. in return for tickets for the Director, Mr. Guiffrida, and his wife, Mrs. Giuffrida, and Mr. Villella and Mrs. Villella, and officials of the Triton Corp., and then the taxpayers were charged for these political contributions on the contract that Triton had with FEMA.

It seems to me that when they're making charges, when they're trying to bill the taxpayers for expenses of that kind, these charges ought to be questioned. Just because Mr. Giuffrida and Mr. Villella are close to the people in charge of Triton doesn't give them the authority to punish you for doing your job.

Now, I think it's an absolute outrage, and I want to applaud you for being the kind of public servant who has the guts to call them like you see them. As I said before, a lot of people in both parties give lipservice to encouraging and protecting what are called whistle blowers. You're not really a whistle blower because we subpoenaed you. We found out about this and you're here in response to the subpoena. But when it comes time to backing up their words, the minority members of this subcommittee chickened out today because Mr. Giuffrida called them up and said, "Please, I don't want to testify. Figure out some way to prevent me from having to answer questions about why this company would take me to a conservative political action committee dinner and then bilk the taxpayers by charging them for the expense. I don't want to answer those questions." That's just Mr. Giuffrida's attitude.

So the minority members of the subcommittee said, "Oh, don't worry; we'll take care of it for you. We'll figure out a way to get you off the hook so you won't have to explain how you've wasted the taxpayers' money. We're not interested in mismanagement, waste, fraud, and abuse; we're more interested in making sure that our friends in the administration aren't embarrassed." So that's why they're not here today.

[The documents referred to follow:]

Invoice #6B

Vouchers Pay
[illegible]

Invoice Date 3/16/84
Voucher Date [illegible]

Account # ~~[illegible]~~ 5400
Contract # 398/12
Amount $ 2000.00

← call J. Smith for T.O. #

Authorized by:

Name Capital Hill Club
Address 300 1st St S.E.
Wash.
State D.C. Zip Code 20003

Acct #	Description	Amount
~~[illegible]~~ 5400-	Conference	2000.00
~~[illegible]~~	~~[illegible] AF~~	~~[illegible]~~
	Total	2000.00
		~~[illegible]~~

Paid by: EDS
Check Date 3/28/84
Check # 1473
Amount $ 1000.00

6/25/84
468
$ 1000.00

OFFICE COPY

CAPITOL HILL CLUB
300 FIRST STREET, SOUTHEAST
WASHINGTON, D.C. 20003
484-4590

MR ALBERT FERRI JR
TRITON CORPORATION
1825 CONN. AVE. NW, 408
WASHINGTON. D. C. 20009

CLUB NUMBER	STATEMENT NUMBER
A 90614	
02/25/84 DATE	

AMOUNT ENCLOSED $__________

PLEASE DETACH THIS PORTION AND RETURN WITH YOUR PAYMENT

CAPITOL HILL CLUB

PREVIOUS BALANCE ▶ 35. 00

DATES	DESCRIPTION	CHARGES	CREDITS
02/23/84	V-PRES BUSH REC.	2000. 00	
03/01/84	DUES	35. 00	

CHARGES STAND AS CORRECT UNLESS INQUIRY IS MADE
16, 1984

CURRENT	30 DAYS	60 DAYS	90 DAYS & OVER	AMOUNT DUE ▶
2035. 00	35. 00			20

B.G.
10/4/84

RESERVATIONS

NAME OF FUNCTION: CHC Special Rcpn DATE: 2-23-84

PRICE: $250— TIME: 5-7 P.M.

MAXIMUM RESERVATIONS ACCEPTED: ______

	NAME	PHONE NUMBER	CLUB NO.	NUMBER OF RESERVATIONS
9	[redacted]	[redacted]	[redacted]	[redacted]
0	[redacted]	[redacted]	[redacted]	[redacted]
	"			
1	[redacted]	[redacted]	[redacted]	[redacted]
2	[redacted]	[redacted]	[redacted]	[redacted]
1	Albert Ferri, Jr.	332-8310	A-90614	(8) Chge
2	Mr. Frederick Villella	287-0340	"	"
3	Ms. Edith Villella	" "	"	"
4	Mr. Louis Gioffrida	287-0330	"	"
5	Mrs. Jenna Gioffrida	" "	"	"
6	Ms Molly Hazeboeck	296-5059	"	"
7	Richard Salvatierra	332-8310	"	"
8	Laurie Hein	" "	"	"
3	[redacted]	[redacted]		[redacted]
4	[redacted]	[redacted]		[redacted]

LETTER: ______

B. G.
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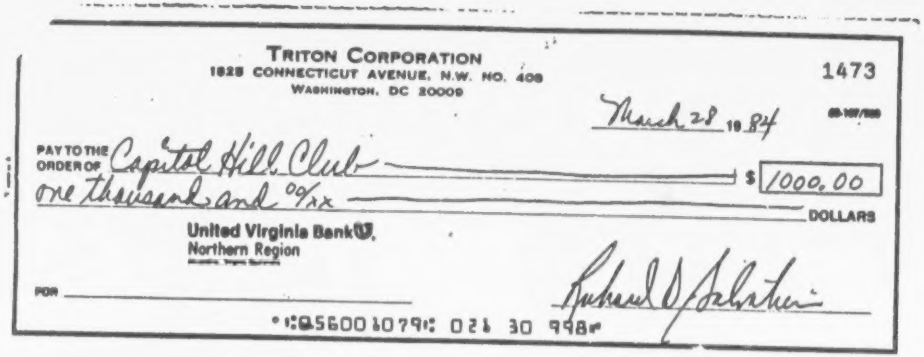


TRITON CORPORATION
1825 CONNECTICUT AVENUE, N.W. NO. 408
WASHINGTON, DC 20009

1473

March 28 19 84

PAY TO THE ORDER OF Capitol Hill Club $ 1000.00

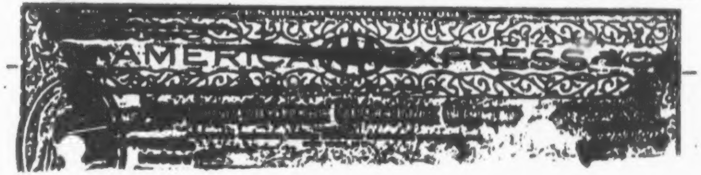
one thousand and 00/xx DOLLARS

United Virginia Bank
Northern Region

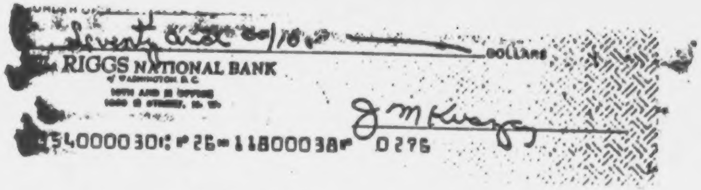
FOR

⑆056001079⑆ 021 30 998⑈

[redacted]



AMERICAN EXPRESS



Seventy and 00/100 DOLLARS

RIGGS NATIONAL BANK

of Washington D.C.

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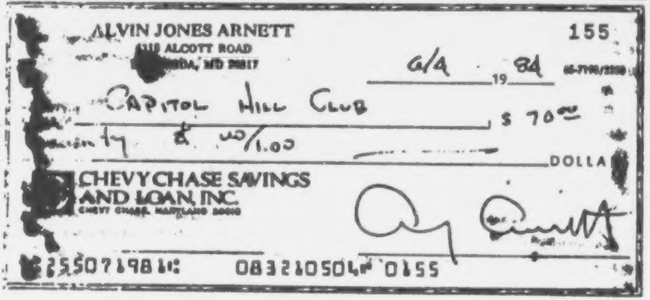


ALVIN JONES ARNETT 155

[illegible] ALCOTT ROAD

[illegible]DA, MD 20817

6/4 19 84

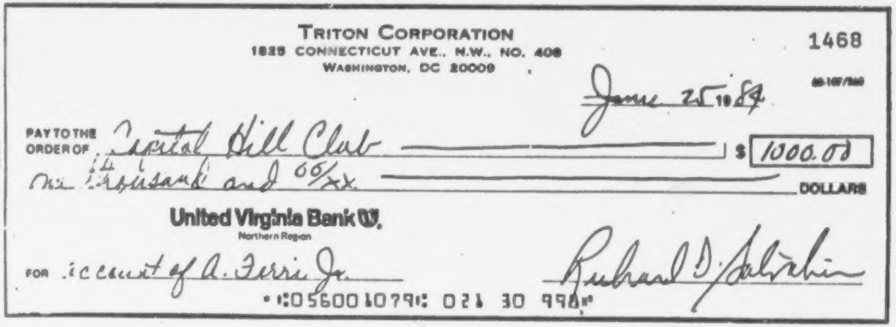
CAPITOL HILL CLUB $ 70⁰⁰

[illegible]enty & 00/1.00 DOLLA[illegible]

CHEVY CHASE SAVINGS AND LOAN, INC.

CHEVY CHASE, MARYLAND

255071981: 083210504 0155



TRITON CORPORATION

1825 CONNECTICUT AVE., N.W., NO. 408

WASHINGTON, DC 20009

1468

June 25 1984

PAY TO THE ORDER OF Capital Hill Club $ 1000.00

One thousand and 00/xx DOLLARS

United Virginia Bank

Northern Region

FOR account of A. Ferris Jr.

:056001079: 021 30 998

Reservations are limited to the first 300 persons and must be made and paid for in advance. All tickets must be purchased by cash, check or charged to individual Club accounts.

Security precautions necessitate advance reservations.

Make Checks payable to C.H.C.—Special Reception

Please return with reservation card in the enclosed envelope.

This is not a political contribution.

NATIONAL REPUBLICAN CLUB OF CAPITOL HILL
WASHINGTON D.C.

The Board of Governors
of the Capitol Hill Club
cordially invite you to attend a
Reception and Buffet
honoring
Vice-President and Mrs. George Bush
at the
Capitol Hill Club
300 First Street, S.E.
Washington, D.C. 20003
5 to 7 P.M.
Thursday, February 23, 1984

$250 per person *Dress Informal*

(Important Information Inside)

168

Capitol Hill Club
Reception and Buffet
honoring
Vice-President and Mrs. George Bush
at the
Capitol Hill Club
300 First Street S.E.
Washington, D.C. 20003
5 to 7 P.M.
Thursday, February 23, 1984

Capitol Hill Club
Buffet
Presidential Dining Room
February 23, 1984
6 to 7 P.M.
168 **ADMIT ONE**

Capitol Hill Club
Reception
honoring
Vice President **and Mrs. George Bush**
Eisenhower Lounge
February 23, 1984
5 to 6 P.M.
168 **ADMIT ONE**

Reception and Buffet honoring Vice-President and Mrs. George Bush at the Capitol Hill Club, Thursday, February 23, 1984, 5 to 7 P.M.

Please make .... reservations @ $250 per person

My check for $ .... is enclosed made payable to CHC Special Reception.

Please charge my account number .... for the tickets.

....
Signature

Name ....

Address ....

Social Security Number .... Phone ....

Must have name, address, Social Security number with phone number of all persons attending. If you have guests put name, address, Social Security number with phone number on reverse side of this card. (This information requested by the Secret Service)

Capitol Hill Club

FACT CARD

On February 23, 1984 the club will be sponsoring a special reception in honor of Vice-President George Bush. The proceeds from this reception are to be used to assist the Club in capital improvements. We hope that all Club members will make a special effort to participate. **Corporate funds may be used for this Reception.**

As reservations will be limited, we encourage you to return the enclosed card with your check as soon as possible. Upon receipt, reservations will be made as requested and tickets will be mailed to avoid the necessity of checking in at the door on arrival. We are advised that Vice-President Bush plans to arrive promptly at 5:00 P.M., after which the building will be secured by the Secret Service.

Should you have any questions, please the club at 202—484-4590.

Thomas J. Lankford

Thomas J. Lankford
President

Now, we tried during the break to call Mr. Giuffrida and the others, but they would not take the calls.

Now, Mr. English——

Ms. **English**. Miss.

Mr. **Gore**. Excuse me, Miss English. You are presently the contracting officer with responsibility over the Triton contract; is that correct?

Ms. **English**. That's correct.

Mr. **Gore**. Isn't it true that in January of this year you were ordered to put the Triton contract on a special basis?

Ms. **English**. It was around——

Mr. **Gore**. Put the microphone up a little bit closer to you so we can—yeah, there you go. Were you ordered in January of this year to put the Triton contract on a special basis so that payments would be made in an unusual way?

Ms. **English**. Not necessarily unusual way. What happened was when Triton vouchers were received, we would certify the vouchers right away, send them over to accounting for payment, and then forward to the project officer for certification that services were received.

Mr. **Gore**. At that time, were you doing the same for any other contracts in the agency?

Ms. **English**. No, sir.

Mr. **Gore**. So what you were ordered to do was to send the Triton vouchers immediately to the paymaster for immediate payment without any review by yourself or other project officers supposedly reviewing the contract. You were ordered to set up a system where payment was automatic without review to see whether or not they had submitted inappropriate charges.

Ms. **English**. Yes; we would send them straight to accounting with the intent that if anything was wrong on the vouchers, we would catch it the next month from the project officer's certification, but they did go straight to accounting after we received them.

Mr. **Gore**. And was there any documentation attached to the—to the vouchers supporting the expenses?

Ms. **English**. Yes.

Mr. **Gore**. After the time that this new system was set up, they continued to attach some documentation supporting the expenses.

Ms. **English**. Yes.

Mr. **Gore**. All right.

Now, who ordered you to set up this new system of automatic payment without review of their expenses?

Ms. **English**. My boss at the time, Steve Goodman.

Mr. **Gore**. All right. Now, Mr. Goodman, at the time, you were the supervisor of Ms. English as head of procurement for the agency; is that correct?

Mr. **Goodman**. That is correct.

Mr. **Gore**. You have subsequently left the agency?

Mr. **Goodman**. Right.

Mr. **Gore**. You were formerly head of acquisition and procurement for FEMA.

Mr. **Goodman**. The Office of Acquisition Management.

Mr. **Gore**. Now, did you, in fact, order Ms. English to put the Triton contract on this special basis?

Mr. **Goodman**. To the best of my recollection, that is correct.

Mr. **Gore**. Let me ask, first of all, did anyone order you to put this contract on a special basis?

Mr. **Goodman**. I wasn't ordered to put it on a special basis; I was asked if there was a method that we could use to expedite payment—that payment was running 60, 90, sometimes 120 days—and to see if we couldn't provide some relief to that contractor.

Mr. **Gore**. Who asked you to change the method of payment?

Mr. **Goodman**. I don't specifically remember. It was either Mr. Villella or Mr. George Smith.

Mr. **Gore**. Mr. George Smith. Could you tell us who he is?

Mr. **Goodman**. He worked in Mr. Martin's office, Gerry Martin's office, and I had been working with him on a process to improve payments at the agency.

Mr. **Gore**. Let the record reflect that he was a special assistant to Mr. Giuffrida, working in the Office of the Executive Deputy Director. He was also subpoenaed for this hearing.

Mr. Villella's appointment calendar shows that he had a meeting with you, Mr. Goodman, concerning the Triton contract on January 18, 1984. Do you recall that meeting?

Mr. **Goodman**. I do not, and my calendar did not reflect that.

Mr. **Gore**. Now, you said earlier that the person who asked you to put this contract on the automatic payment basis without prior review was either Mr. Smith or Mr. Villella. It could have been Mr. Villella in your opinion, is that right?

Mr. **Goodman**. It could have been. What's causing me some confusion is that I was talking to both of them about those kinds of issues, Mr. Villella more specifically about Triton; Mr. Smith more generally about the whole problem of payment in the agency.

Mr. **Gore**. Without objection, we will insert into the record immediately after my questioning of Mr. Rucker the documents pertaining to the Conservative Political Action Committee dinner for President Reagan that the taxpayers were charged for by Triton through this unusual or new payment system.

Ms. Koppel, Anita Koppel, I'd like to ask the staff to give you two payment vouchers and without objection, we'll put them in the record at this point.

[The information follows:]

Exhibit

INVOICE

John D. Smith, Manager
FEMA Educational Assistance Project
TRITON Corporation
1825 Connecticut Avenue, N.W.
Suite 408
Washington, D.C. 20009

Invoice for Professional Services

Description of services, including dates performed

Consulting to NETC Curriculum Development
9-1 – 9-7 1983

2 days at $ 150 per day..$ 300.00

Travel Expense plus
Expenses Incurred
(See attached detail of expenses and accompanying receipts).......$ 532.91

TOTAL DUE..$ 832.91

Please make checks payable to:
(Name) Anita Koppel
(Address) Orford Heights
Manchester #2
Albany N.Y. 12203

Anita B. Koppel
(Consultant's Sig.)

INVOICE

John D. Smith, Manager
FEMA Educational Assistance Project
TRITON Corporation
1825 Connecticut Avenue, N.W.
Suite 408
Washington, D.C. 20009

Invoice for Professional Services

Description of services, including dates performed

Consulting to NETC Curriculum Development
9-1 – 9-7 1983

2 days at $ 150 per day.......................................$ 300

Expenses Incurred
(See attached detail of expenses and accompanying receipts).......$ 577.

TOTAL DUE...$ 877.00

Please make checks payable to:
(Name) Anita Kappel
(Address) Oxford Heights
#2
Albany, NY

Anita Kapp
(Consultant's Sig.)

Mr. Gore. When you've had a chance to look at them, I want to ask you a question about them.

Now, after looking at the two vouchers that the staff has given to you, could you tell us if you submitted the one for $832.91 or the one for $877 to Triton for consulting services during the September 1 to September 7, 1983, period?

Ms. Koppel. Yes; I submitted the amount of $832.91.

Mr. Gore. You submitted the amount of $832.91.

Ms. Koppel. Yes.

Mr. Gore. Is that right?

Ms. Koppel. Yes.

Mr. Gore. Now, how much did you get reimbursed by Triton for that week?

Ms. Koppel. That's difficult to answer because my payments were in lump sums.

Mr. Gore. In a lump sum?

Ms. Koppel. Yeah, not necessarily in——

Mr. Gore. All right. The staff questioned you earlier about this, but you've been unable to find the exact amount because it was a lump sum.

Now, the second voucher for the same period of time appears to have your name on it, but the handwriting is obviously not yours. Is that a conclusion I'm jumping to looking at those signatures? What is your reaction to that?

Ms. Koppel. You're correct. The signature on this other voucher is not my own.

Mr. Gore. Could you say that louder so I can hear it.

Ms. Koppel. The signature on this voucher is not my signature.

Mr. Gore. So, again, one could jump to the conclusion that this is a forged voucher under the contract and that you were reimbursed for the other invoice, but we've been unable to determine who got the money for the one that is apparently forged.

I might say that, for the record, we have uncovered a significant number of what appear to be forged invoices pursuant to this contract and others. Again, we're going to pursue this matter further with respect to other documents that appear to be forged.

The question of management is really involved here and we've established earlier that someone from the eighth floor, someone from the top ranking staff at FEMA—Mr. Goodman doesn't recall who—ordered or suggested, in any event, this special automatic payment system so that the project officers would not have a chance to review the vouchers when they were submitted prior to the time that payment was made.

Again, this is a matter that we're going to pursue much further, but the management of FEMA is really responsible for this taking place, and I've made my views known on prior occasions of what the problem is there. I think the entire agency is grossly mismanaged. There appears to be cronyism, an epidemic level of waste, fraud and abuse, and a contemptuous failure to even answer questions about how activities like these could take place.

If those who are stonewalling this committee believe they can get away with it, they're certainly going to find out otherwise.

Well, we have a number of other questions that we are going to pursue at a later time when Mr. Giuffrida is present in order to respond quickly to questions about these other matters. We are not going to pursue those now.

I want to recognize Mr. Glickman.

Mr. GLICKMAN. Thank you, Mr. Chairman, and I haven't followed this matter as carefully, but I would like to ask, Mr. Chairman, have these people reviewed the voucher for $133,088 from Triton dated March 22, 1984? Has that been one of the vouchers that has been presented for them to look at?

This is the one that refers to the conservative political action in the attached documents.

Mr. GORE. Let me just respond to that and then I invite you to direct your questions to the witnesses. This payment took place during the time that this new system was established, when the vouchers would go automatically for payment without review of whether or not they were appropriate.

Mr. GLICKMAN. OK. I would ask the question—I don't know who the appropriate person here is—perhaps Ms. English. There is a voucher that I have which has underlying documents on consultants which lists the $1,200 for conservative political action and that voucher has been signed by Mr. Richard D. Salvatierra, president of Triton.

Do any of you recall when—do you, Ms. English, or anybody else recall when that specific voucher came through? Do you recall the voucher, first of all?

Ms. ENGLISH. No, I don't.

Mr. GLICKMAN. Do any of you recall that particular item coming through in any way during approximately March 1984? Mr. Rucker?

Mr. RUCKER. No, sir, I don't. I signed my last invoice sometime in December and after that, I did not see any of them at all.

Mr. GLICKMAN. Do you know if any project officer or anybody reviewed that particular item, the $1,200 to that dinner?

Mr. RUCKER. I can give you only hearsay on that, sir.

Mr. GLICKMAN. Well, what do you know?

Mr. RUCKER. Well, after I was relieved as project officer in December—at which time, incidentally, we had already switched over to the new system, apparently, or it was switched in December, not January—after that time, I was replaced as project officer by Dr. Fritz Oelrich and it's my understanding, from conversations with him, that he did not see any of the invoices for a period of several months, probably up through the date of the one you're describing there. And at some point about that time, then he saw a logjam of invoices for about 3 months, 3 or 4 months, maybe January, February, March. If that's not too confusing.

Mr. GLICKMAN. Now, Ms. English, you testified that this automatic payment system without prior review would then be reviewed perhaps the next month. Is that correct?

Ms. ENGLISH. That's correct, by the project officer.

Mr. GLICKMAN. All right, but then Mr. Rucker is testifying that, at least at a minimum, there was some confusion there and there was not any automatic next-month review until some point in the spring of last year when it occurred?

Mr. RUCKER. As I described, sir, that's hearsay on my part. After December, I had no direct involvement, but it's my understanding that that is correct. In fact, this system was already in force in December because I really got, if I may, wrapped around an axle in the first 3 weeks of December regarding approving an invoice for payment and I discovered at the completion of that period of time that the invoice had already been paid, the bill had already been paid.

So we were jumping through our back pockets for a period of several weeks trying to determine the validity of the invoice and whether to pay it or not, and during that period, without our knowing it—and I was the project officer—without my knowing it, it had already been paid. It was for $176,000.

Mr. GLICKMAN. Are you implying in that that the fact that it had been paid before and submitted again was part of some scheme to get double payment or——

Mr. RUCKER. No, sir; I am not. No; I think it's just a means of expediting payment, as was described by Ms. English and Mr. Goodman.

Mr. GLICKMAN. One final question: This automatic payment without prior review, was that permitted to any other person submitting a voucher besides Triton Corp.?

Ms. ENGLISH. Not to my knowledge.

Mr. GLICKMAN. How many different—yes, Mr. Goodman.

Mr. GOODMAN. If I could interject, we were testing a similar kind of payment procedure on approximately one-third of our contracts in FEMA, the ones that were done in one of the operating divisions where the contracting officer did not review the voucher prior to payment.

Mr. GLICKMAN. You were testing that?

Mr. GOODMAN. We were seeing if that would relieve these long lead times we were experiencing on——

Mr. GLICKMAN. Yeah.

Mr. GOODMAN [continuing]. On payments.

Mr. GLICKMAN. Was the Triton contract in that division?

Mr. GOODMAN. No.

Mr. GLICKMAN. So the Triton contract was treated differently than other contracts except for those in a separate test?

Mr. GOODMAN. Exactly.

Mr. GLICKMAN. OK.

Thank you, Mr. Chairman.

Mr. GORE. All right, thank you.

I'd like to ask others of you if you felt that the meeting at FEMA this morning constituted intimidation or an effort to get you to not appear here today.

Mr. Coyle.

Mr. COYLE. I would say it was certainly unusual, given that they weren't going to be providing us any advice, that they told us that we were not going to be represented by counsel if we did not come and were cited for contempt, so forth and so on. So you can only conjecture from that that there was some slight pressure being put on us to make a decision not to come.

Mr. GORE. Yeah.

Mr. COYLE. I know we all felt very uncomfortable about the process of being there this morning.

Mr. GORE. We asked you earlier about this situation where you were told to approve an unsolicited proposal from the Analytical Systems Engineering Corp. Could you amplify on that?

Mr. COYLE. I want a clarification of your question. I think you had asked had I had any discussions with representatives of the corporation about those proposals?

Mr. GORE. Yes.

Mr. COYLE. Did I understand that was your question?

Mr. GORE. Yes; it was.

Mr. COYLE. And I answered "No." A few months before the proposals came in, as part of a number of visitors who come to the National Emergency Training Center, I was asked to provide a briefing to a couple of people who were there. As it turned out, I think it was a couple representatives of this corporation. We didn't speak in specifics about any proposals; it was a general briefing on the National Emergency Training Center and I briefed on the U.S. Fire Administration's programs.

So I wanted to be clear that I had talked to representatives, but in a general context, not about specific proposals.

Mr. GORE. I see. Was one of those Frank Serio?

Mr. COYLE. Yes; I believe it was.

Mr. GORE. Executive vice president of the company and who asked you to give him and the other individual the tour?

Mr. COYLE. I don't recall because back during that period of time, which was in the winter and spring, it seemed like we were doing a briefing every other day of visitors to the center——

Mr. GORE. Yeah.

Mr. COYLE [continuing]. So it was in that context. I don't recall who asked me, but——

Mr. GORE. Fine.

Mr. COYLE [continuing]. We were asked to do a briefing.

Mr. GORE. Fine. Did others of you—well, of course, Ms. Koppel and Mr. Goodman are not with the agency now, but Ms. English and Mr. Rucker, did you feel some intimidation from the meeting this morning? Did you feel you were being encouraged not to attend this hearing?

Ms. ENGLISH. I think we were—I do feel a little intimidation, but toward the end of the meeting it was clear that perhaps we should attend, because if we did not attend, we were going to be cited for contempt of Congress. The agency was not going to protect us. You know, we would be 100 percent on our own. So there was a little intimidation there.

Mr. GORE. Uh-huh.

Mr. Rucker.

Mr. RUCKER. More insulted than intimidated, sir. [Laughter.]

Mr. GORE. Good for you, Mr. Rucker.

All right. As I said before, we have a number of other matters to pursue, but because of the nature of this kind of investigation, we want to hold off on those until the committee has Mr. Giuffrida and the others in his office present to respond at the time on the same day to the questions that we anticipate asking them. Please consider yourselves still subject to the subpoena issued for further meetings of the committee and we will be back in touch with you.

Let me thank you on this occasion for your presence here today and response to the subpoena. And let me again express my admiration and gratitude for those of you who have been willing to serve the public as well as you have and not be bullied or intimidated by people higher up who have no business trying to get these unauthorized payments to friends of theirs in companies that have contracts with the agency.

So thank you very much for appearing here today and we'll be back in touch with you. You're excused at this time.

Now, our next witnesses—I won't belabor the point, but our next witnesses were supposed to be from the Triton Corp. and from the IMR Corp. They're not present so I would like to call to the witness table two others who are here, Mr. David Nicholas and Mr. Frank Serio.

Mr. David Nicholas is a former subcontractor of Triton and Mr. Frank Serio is executive vice president of Analytical Systems Engineering Corp. We don't anticipate that this panel will take very long.

I want to note that your rights under the rules of the committee and the House are enumerated in the information provided. It's available for you. You have the right to be represented by counsel if you wish to be. You have the right to invoke the fifth amendment if you wish to.

Now, let me ask you if either one of you have objections to being sworn in?

Mr. NICHOLAS. No, sir.

Mr. SERIO. No, sir.

Mr. GORE. If you'd stand and raise your right hand. Do you solemnly swear the testimony you're about to give will be the truth, the whole truth and nothing but the truth, so help you God.

Mr. NICHOLAS. Yes, sir.

Mr. SERIO. I do.

[Witnesses sworn.]

TESTIMONIES OF DAVID NICHOLAS, FORMER TRITON SUBCONTRACTOR; AND FRANK SERIO, EXECUTIVE VICE PRESIDENT, ANALYTICAL SYSTEMS ENGINEERING CORP.

Mr. GORE. Thank you, and thank you for being here today.

Now, Mr. Nicholas, you are a State legislator in the Nevada State Assembly; is that correct?

Mr. NICHOLAS. That is correct, Mr. Chairman.

Mr. GORE. Now, how did you come to be associated with the Triton Corp.?

Mr. NICHOLAS. My association with Triton Corp. came as a result of my being requested to bill Triton Corp. by the people who decided that they wanted me to be a consultant for FEMA.

Mr. GORE. Who in the agency, who in FEMA, asked you to bill Triton?

Mr. NICHOLAS. Mr. Frank Payne.

Mr. GORE. Mr. Frank Payne. All right. Mr. Frank Payne is special assistant to Mr. Giuffrida and a long-time associate of Mr. Giuffrida's. Now, you were retained as a consultant to FEMA, but asked to submit your vouchers to Triton so that the payments would be made through Triton; is that correct?

Mr. NICHOLAS. That is correct.

Mr. GORE. You were specifically retained to coordinate a conference of State legislators on emergency management; were you not?

Mr. NICHOLAS. That is correct.

Mr. GORE. What did Triton have to do with that?

Mr. NICHOLAS. I believe, sir, in my case, that what they were was essentially the paymaster.

Mr. GORE. That's——

Mr. NICHOLAS. In terms of——

Mr. GORE. It would just run through them. Triton didn't have anything to do with what——

Mr. NICHOLAS. That is correct.

Mr. GORE [continuing]. You were doing. All right.

How much did you receive for those services?

Mr. NICHOLAS. Two sums, sir. First, the total amount of the contract, if I could describe that to you, was for some $12,800. The amount that I expended of that contract was $8,800. The total expenses were some $2,200, including three trips to Washington. So the total cash outlay to me would have been $8,800 plus some $2,200, or approximately $11,000. And the total amount of the contract, again, $12,800 plus expenses.

Mr. GORE. OK. Now, this conference was scheduled for April 11 of this year?

Mr. NICHOLAS. It was not my recommendation that it be then, but it was scheduled for that time.

Mr. GORE. Now, what happened? Did the conference take place?

Mr. NICHOLAS. The conference did not take place. Some 23 people plus myself, as far as legislators are concerned, were scheduled to be involved in that conference as late as March 29. I went into special session of the Nevada Legislature and some days later, was in contact again with FEMA and was informed that fewer than 10 legislators were planning to attend.

I did bring with me, sir, my records as of approximately March 29 as to the exact people who had said they would come in forms of their correspondence and in a few cases verbal telephonic communication with me.

Mr. GORE. OK, we'd like to review that material.

Mr. NICHOLAS. Good.

Mr. GORE. The subcommittee staff independently contacted the 24 registrants that you supplied as conference registrants and half of them stated that they had never had any intention of coming.

Mr. NICHOLAS. I have for your staff, Senator, a list of the people contacted. I also have all of the correspondence and with your permission, will leave that with your staff for their perusal.

Mr. GORE. That's fine. I don't want to belabor the matter.

Now, isn't it also true that other Triton and agency personnel made calls to these legislators and the decision to cancel the conference was made in part because they couldn't verify that anybody was coming; is that——

Mr. NICHOLAS. I'm afraid that what happened was when I went into session and sent the list back to Emmitsburg, that indeed calls were made from Emmitsburg to these people to determine their travel directions, their travel arrivals, things similar to that. I do not know if the care with which I had dealt with these people was duplicative of the Emmitsburg direction, but I do know that when I was back in contact with Emmitsburg, I was told that they had been contacted. I don't know by whom, but that there were very many who were not coming.

Could I make a comment here, too, Senator——

Mr. GORE. Sure.

Mr. NICHOLAS [continuing]. Concerning the situation?

I guess one of the lessons I learned was that the responsiveness of a legislator or a person in government while they are in session may indeed be a positive one at first, but like me going into special session, there's no question but that things come up in government and that many of the people who later said they could not come probably had legitimate excuses involving governmental work.

Mr. GORE. Yeah. Well, I think that's probably right and again, I don't want to belabor the point and I don't want to make a capital case out of this conference that didn't take place. This is one of many expenses charged by Triton that just didn't work out. The use of Triton as a bodyshop, in effect, to anybody who comes onto the agency, you know, for whatever purpose—instead of justifying it through the normal procedures and having oversight and making sure that it's going to work right, this was a fairly common thing for FEMA to just push it over to Triton and use Triton as a way to pay money for things that the people in charge of the agency felt would be a good idea.

And my purpose here is not to single you out and come down on this conference that didn't take place, but merely to use it as an example of some of the procedures that were used in this contract.

Now, let me ask you, Mr. Serio, you are vice president of the Analytical Systems Engineering Corp.; are you not?

Mr. SERIO. That's correct, sir.

Mr. GORE. You are also a retired brigadier general in the Army; is that correct?

Mr. SERIO. That is also correct.

Mr. GORE. You were in the same class at the Army War College with Gen. Louis Giuffrida; is that correct?

Mr. SERIO. Yes; that's correct.

Mr. GORE. Would you classify yourself as a close friend of Mr. Giuffrida?

Mr. SERIO. A friend, an acquaintance.

Mr. GORE. Now, let me ask the clerk to supply you documents that are proposals, unsolicited proposals made by your company to FEMA and ask you to verify that that is, in fact, what they are. I think they've already been put into the record, but if they're not, without objection we'll put them into the record at this point.

Mr. SERIO. I believe they were previous.

Mr. GORE. Just for the record, you can verify that that's——

Mr. SERIO. These are all FEMA documents——

Mr. GORE [continuing]. What they are.

Mr. SERIO [continuing]. And I just got to my own, so just a second.

The first one was—that is correct, sir.

Mr. **Gore**. All right, fine. Now, is it true that shortly before these proposals were submitted, you and other people from the company were at the NETC campus?

Mr. **Serio**. Yes; it was sometime in December when, as Mr. Coyle mentioned, we had gone down for briefings. It is normal to—at least in our business—to see where there's some help needed and to go down and understand what the problem is, and if we understand the problem well enough to see if we can provide some assistance.

Mr. **Gore**. Uh-huh.

Mr. **Serio**. I believe it was about December, sir.

Mr. **Gore**. Did you understand the problem about computerizing the student information?

Mr. **Serio**. As we understood at that time—it's interesting what I just heard today—it's the first time I've heard it.

Mr. **Gore**. You didn't know that the information had already been computed?

Mr. **Serio**. No; I did not. In the discussions we had down there, I think, if my memory serves me properly, I thought that those things were still manually set up.

Mr. **Gore**. Now, did you talk to Mr. Giuffrida about your company's capabilities?

Mr. **Serio**. Yes; I did—which is normal. In fact, I believe, sir, I sent them a letter.

Mr. **Gore**. And did you meet personally with them?

Mr. **Serio**. I knew him before, and yes; I have.

Mr. **Gore**. And you met with him concerning what your company might be able to do for FEMA?

Mr. **Serio**. Yes, sir.

Mr. **Gore**. And your purpose was to get some contracts with FEMA?

Mr. **Serio**. That's right.

Mr. **Gore**. Did Mr. Giuffrida tell you that that could probably be worked out?

Mr. **Serio**. No; in fact, I don't believe I really ever discussed it in any detail with the exception of the letter that I sent him.

Mr. **Gore**. Well, now, wait a minute. You didn't discuss it in detail, but you said you did discuss it.

Mr. **Serio**. Yes; but you want a proper answer, so I'm trying to give you a proper answer, sir.

Mr. **Gore**. Well, here's the conversation that I'm assuming took place, and you——

Mr. **Serio**. OK.

Mr. **Gore** [continuing]. Correct me if I'm wrong.

Mr. **Serio**. Surely.

Mr. **Gore**. You said, "Hey, Louis, I've got this company here. I'd like to get a contract," and he said, "Gee, looks like you've got some real good capabilities here. I'm sure we can work something out. Why don't you send a proposal in. I'll do what I can to work it out."

Mr. **Serio**. No, sir. I submitted a letter which describes what our capabilities are. I do that with many agencies, and it's called a capabilities package which discusses what we can do.

Mr. **Gore**. Did that include these proposals?

Mr. SERIO. No, no; the proposals were not—the proposals were later on when, after we had gone down to NETC to find out what possible help they could use.

Mr. GORE. Why do you think that people in Mr. Giuffrida's office ordered the evaluators to approve your unsolicited proposal?

Mr. SERIO. I honestly do not know, sir.

Mr. GORE. Just a coincidence?

Mr. SERIO. I didn't even know that that had been done until just now, to be honest with you. And that's the honest truth.

Mr. GORE. You also met twice with Fred Villella.

Mr. SERIO. That's correct.

Mr. GORE. Once on September 22, 1983, and then again on February 8, 1984.

Mr. SERIO. I don't remember the second date, but the first date was about right, sir.

Mr. GORE. And there was a second date around that timeframe?

Mr. SERIO. It was wintertime.

Mr. GORE. We got that from his appointments——

Mr. SERIO. Sure, I just don't remember the date, sir.

Mr. GORE. Can we assume that these meetings were for the purpose of getting some FEMA contracts for your company?

Mr. SERIO. I can tell you what happened exactly during the meeting. I discussed—in fact, I think I brought a copy of the capabilities that the company has and we discussed them in very broad general terms.

Mr. GORE. OK. So your testimony under oath is that General Giuffrida did not tell you that he would help get a contract for your company?

Mr. SERIO. To the best of my knowledge and belief, yes, sir, at no time.

Mr. GORE. All right.

Mr. Glickman.

[No response.]

Mr. GORE. Well, let me thank the two of you for coming here.

Mr. SERIO. Yes, sir.

Mr. GORE. The fact that you are here and all of these other witnesses from Triton and from IMR are not here may put undue emphasis on these two elements, when, in fact, some gross abuses in other vouchers and other work done for FEMA would be the subject of extensive inquiry if these other witnesses had been here.

I don't want the impression to be given that these two matters are the substance of what we had intended to spend our time on here today. I appreciate your willingness to come and tell us about these matters. So thank you very much.

Mr. SERIO. Yes, sir.

Mr. GORE. You're both excused.

Mr. SERIO. Thank you, sir.

Mr. NICHOLAS. Thank you.

Mr. GORE. Let me say for the record that when the hearing adjourns in a moment, when we close today's hearing, it will be recessed to the call of the Chair. During that recess, and over the next several days, I am going to attempt to get the minority members of the subcommittee to stop protecting Mr. Giuffrida, the Triton Corp. and the IMR Corp., and secure their approval for a continuation of this hearing and an enforcement of the subpoenas which have been issued.

In the event that the minority members choose to continue to place a higher importance on their desire to protect these witnesses that have information about alleged waste, fraud, and abuse, in the event they continue to place more importance on that than their obligations to the public to have this information available to the Congress so that we can exercise appropriate oversight over FEMA, if they continue to do that and participate in this stonewalling of the committee, then the matter will be pursued in January by this subcommittee, if the new chairman chooses to pursue it. I have been assured by the three most likely chair—chairmen that it will be vigorously pursued, as well as in the other body, which is the way we refer to the Senate, as well as by the Oversight and Investigations Subcommittee of the Commerce Committee if Chairman Dingell continues with his present inclination to join the Science and Technology Committee in pursuing this matter vigorously.

I wish to thank those witnesses who appeared today. And for those in the agency who testified, I'd like to give my personal encouragement to them to continue serving the public interest in the superior fashion that they have been serving and give them my personal assurances that any retribution or anything resembling retribution for their appearance here today will be dealt with very severely by this committee and in other ways.

There are Federal laws preventing retribution for giving testimony before the Congress. As one individual Member, I will do my best to make certain those laws are vigorously enforced and I believe I can speak for other members of the committee, at least on the majority side. I no longer feel as if I have that assurance as to the feeling of the minority members, but please rest assured that this matter will be pursued very vigorously.

Mr. GLICKMAN. Would my colleague yield?

Mr. GORE. Yes.

Mr. GLICKMAN. I just commend you for the hearings. While I haven't been involved with it too much in depth, it strikes me, so that lest anyone believe that this is a political witch hunt, which, from the papers I've seen don't appear to be true, this is the agency, if I'm not mistaken, that would be responsible if a Union Carbide-type of accident would take place in this country and along working with other agencies. And if we have an agency that, either through mismanagement or fraud can't take care of basic paperwork or potentially favors friends with contracts, then how could they protect the lives of thousands of people living along or nearby a chemical plant or a nuclear disaster or related thing.

So I commend you. We are not dealing with an abstract problem here; we're dealing with a potentially serious one that might affect the lives of thousands of Americans.

Mr. GORE. Thank you for your comments, and of course, that's exactly right. Without objection, I'd to also include in the record the letters from the committee requesting documents according to the subpoena, which was earlier duly authorized and the agency has refused to provide those documents in response to the letter of request and the earlier subpoena, and this matter will also be pursued by the subcommittee and the full committee.

[The documents referred to follow:]

DON FUQUA (Fla.) Chairman

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ROBERT C. KETCHAM
General Counsel
DAVID S. JEFFERY
Minority Staff Director

December 6, 1984

Hon. Louis O. Giuffrida, Director
Federal Emergency Management Agency
Washington, D.C. 20472

Dear Mr. Giuffrida:

As you are aware, in accordance with provisions of Rules X and XI of the House of Representatives, the Subcommittee on Investigations and Oversight has been conducting an inquiry into certain allegations of misconduct and mismanagement at FEMA. We have previously requested by letter dated November 29, 1984 (copy attached) certain documentary materials from your Agency in connection with this inquiry. I have not received a formal reply to my request, even though the Subcommittee hearing is scheduled for December 12, less than a week away.

Repeated telephone calls by the staff to resolve this problem have gone unanswered until yesterday, when FEMA's General Counsel informed Mr. Nicholas, the Subcommittee Staff Director, that the Department of Justice had told FEMA to segregate all Triton documents in conjunction with an ongoing Department of Justice investigation. The General Counsel was unable or unwilling to explain to Mr. Nicholas what the legal authority for the order was, who was responsible for giving the order, and which documents came within the instructions.

As you no doubt recall, this Subcommittee experienced substantial difficulty in obtaining documents from FEMA during the course of its investigation. On October 3, 1984, FEMA's refusal to produce documents requested by the Subcommittee necessitated the postponement of the Subcommittee's scheduled hearing and resulted in the issuance of a subpoena. Subsequently, FEMA complied with the subpoenas, and in letters dated October 5, 1984, FEMA acknowledged the Subcommittee's right to the documents.

I am hopeful that we can avoid a recurrence of this procedure. However, it is difficult to view FEMA's refusal to provide the documents and its informal, overbroad, and vague attempts to justify its refusal to produce the documents as anything more than a further attempt to obstruct the Subcommittee's investigation.

Be advised that the Subcommittee intends to hold its hearing on December 12 and that all efforts will be made to obtain the documents in question.

Sincerely,

Albert Gore Jr.

Albert Gore, Jr.
Chairman, Subcommittee on
Investigations and Oversight

Attachment

DON FUQUA (Fla) Chairman

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HAROLD P HANSON
Executive Director
ROBERT C KETCHAM
General Counsel
DAVID S JEFFERY
Minority Staff Director

November 29, 1984

Honorable Louis O. Giuffrida
Director
Federal Emergency Management Agency
Washington, D.C. 20472

Dear Mr. Giuffrida:

In preparation for the Subcommittee on Investigations and Oversight's upcoming hearing on management practices at the Federal Emergency Management Agency, it would be appreciated if you would supply the Subcommittee with the following materials:

1) The response of Gerald Martin and George Jett to a memo written to the Inspector General, Robert Goffus, on August 14, 1984 requesting opinions and data concerning contracting.

2) Any material supplied by the Triton Corporation in response to the September 26, 1984 request from Inspector General, Robert Goffus, for documents, cancelled checks and other documentation concerning that company's contract with FEMA.

3) Any responses from the Small Business Administration concerning the 8(a) minority business status of the Triton and IMR Corporation.

4) All written approvals for proposed fourth quarter consulting service contracts by Gerald Martin or yourself for fiscal years 1983 and 1984.

5) All written approvals by Gerald Martin for consulting service contracts for contracts let in the/first three quarters of fiscal years 1983 and 1984.

6) Copy of a monograph called, "Emergency Management -- A National Perspective."

7) All vouchers submitted for payment by the Triton Corporation since July 1, 1984.

8) A copy of you personal calendar since you assumed the post of Director of the agency.

it would be appreciated if you would comply with this request by Wednesday, December 5, 1984.

Sincerely,

Albert Gore Jr.

Albert Gore, Jr.
Chairman
Subcommittee on Investigations
and Oversight

AG/Ntk

Mr. **Gore**. I'd like to thank all our witnesses and my colleague, and at this point, this hearing is recessed to the call of the Chair.

[Whereupon, at 12:15 p.m., the subcommittee was adjourned, to reconvene subject to the call of the Chair.]

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